



DAC
[Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR
SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL
ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop PETITIONS, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on April 25, 2005.

(Agent Signature)

Karl F. Kenna, Reg. No.: 45,445

Signature Date: April 25, 2005

**REQUEST FOR RECONSIDERATION OF
PETITION UNDER 37 C.F.R. §1.47(a)**

Mail Stop PETITIONS
Commissioner for Patents
Washington, DC 20231

Sir:

This Request for Reconsideration of Petition under 37 C.F.R. §1.47(a) is in reply to the Decision Refusing Status Under 37 C.F.R. §1.47 dated October 25, 2004. A Petition for Extension of Time is submitted herewith. Applicants, through their undersigned attorney, hereby petitions the Commissioner to accept this Request for Reconsideration of Petition Declaration Under 37 C.F.R. §1.47(a). Applicants make the following declaration:

04/28/2005 MAHME1 00000007 061325 10733989

02 FC:1463 70.00 DA 130.00 DP

- 1 -

Declaration by Applicant

1. Inventor Doug Dew, a former employee of BEA Systems, Inc., is a joint inventor in the above-identified application, assigned or to be assigned to BEA Systems, Inc.

2. On June 8, 2004, Applicants' attorney, in his customary practice of obtaining executed formal papers, namely a Declaration for Patent Application, and an Assignment from the inventors and employees of BEA Systems, Inc., sent an email to the inventors Timothy Breeden and Doug Dew at their email addresses at BEA Systems, Inc. identified as follows: timb@bea.com and ddew@bea.com. A copy of the email is attached and incorporated herein by reference as Exhibit A. The undersigned received no response.

3. On June 9, 2004, Applicants' attorney received an email notification stating that the email sent to Doug Dew dated June 8, 2004 was returned because the email address had permanent fatal errors. A copy of the email is attached and incorporated herein by reference as Exhibit B.

4. On June 10, 2004, Applicants' attorney contacted BEA Systems, Inc. to inquire about the two inventors' current home address, citizenship, and if they were still employed with BEA Systems, Inc. A copy of this email is attached and incorporated herein by reference as Exhibit C. On June 14, 2004, Applicants' attorney learned that Doug Dew was no longer employed at BEA Systems, Inc. A copy of the email is attached and incorporated herein by reference as Exhibit C.

5. On June 15, 2004, after learning of inventors' addresses, Applicants' attorney prepared the necessary formal documents required in all newly filed patent applications, and sent via FedEx a set of formal documents to each of the inventors for execution. Copies of the letters and tracking receipts showing delivery on June 16, 2004 are attached and incorporated herein by reference as Exhibit D.

6. On July 15, 2004, after Applicants' attorney received no response from either inventors, Applicants' attorney therefore sent a follow-up letter to both inventors via

FedEx. Copies of these letters and tracking receipts showing delivery on July 16, 2004 are attached and incorporated herein by reference as Exhibit E.

7. On August 24, 2004, Applicants' attorney received Timothy Breeden's executed formal documents which Applicants' attorney filed on September 30, 2004 with the U.S. Patent and Trademark Office. A copy of the formal documents are attached and incorporated herein by reference as Exhibit F.

8. On August 24, 2004, Applicants' attorney again sent a follow-up letter to Doug Dew via FedEx. Copies of the letter and tracking receipt showing delivery on August 25, 2004 are attached and incorporated herein by reference as Exhibit G.

9. On August 26, 2004, Applicants' attorney learned that Doug Dew's home address has changed to an address in Champaign, Illinois, and subsequently Applicants' attorney sent a follow-up letter via FedEx. Copies of the letter and tracking receipt showing delivery on August that the letter was delivered on August 27, 004 are attached and incorporated herein by reference as Exhibit H.

10. On September 13, 2004, Applicants' attorney followed up with Doug Dew via email and Applicants' attorney received a response from Doug Dew on September 14, 2004 stating that he had returned to Applicants' attorney all formal papers. Indeed the undersigned attorneys' office received formal papers from Doug Dew for other patent applications which he is named inventor but not one for this particular patent application which Applicants' attorney communicated to Doug Dew on September 14, 2004. A copy of this string of email messages is attached and incorporated herein as Exhibit I.

11. On September 24, 2004, after not receiving the formal documents or a response from Doug Dew, Applicants' attorney then followed up with an email to inquire about the formal documents. A copy of this email is attached and incorporated herein as Exhibit J.

12. On September 24, 2004, the office of the Applicants' attorney called information "411" to obtain Doug Dew's home telephone number in an attempt to call him but discovered that his phone number is unlisted.

13. On November 15, 2004, Applicants' attorney sent an email message to Doug Dew at his email address doug@dew.name to inquire about the formal papers. A copy of this email is attached and incorporated herein as Exhibit K.

14. On December 6, 2004, Applicants' attorney sent a follow-up email message to Doug Dew at his email address doug@dew.name to once again inquire about the formal papers. A copy of this email is attached and incorporated herein as Exhibit L.

15. On January 18, 2005, Applicants' attorney sent a letter to Doug Dew at his home address in Champaign, Illinois via Federal Express to follow-up on the formal papers. Copies of the letter and tracking receipt showing delivery on January 19, 2005 are attached and incorporated herein by reference as Exhibit M.

16. On April 7, 2005, Applicants' attorney sent an email message to Doug Dew at his email address doug@dew.name to inquire about the formal papers. A copy of this email is attached and incorporated herein as Exhibit N.

17. On April 11, 2005, Applicants' attorney received an email message stating that the email dated April 7, 2005 to Doug Dew was not delivered because the host name doug@dew.name could not be found. A copy of this email is attached and incorporated herein as Exhibit O.

18. On April 13, 2005, Applicants' attorney sent a letter to Doug Dew at his address in Champaign, Illinois via Federal Express to inquire about the formal papers. Copies of the letter and tracking receipt showing delivery on April 14, 2005 are attached and incorporated herein as Exhibit P.

19. On April 14, 2005, the office of the Applicants' attorney called information "411" to obtain Doug Dew's home telephone number in an attempt to call him but discovered that his phone number is unlisted.

20. Inventor Doug Dew's last known contact information is 2545 W. Springfield, Apt. 6, Champaign, IL 61821. Doug Dew's Last known email address is doug@dew.name.

21. Applicants' attorney believes it has made a diligent effort in attempting to contact inventor Doug Dew so as to fulfill the formal documents requirement in a timely manner. Due to inventor Doug Dew's non-response in returning the formal papers to Applicants' attorney, Applicants' attorney conclude that inventor, Doug Dew is unwilling to participate in the application or to execute the necessary formal documents. As shown by the Exhibits A-P, Applicants' attorney believes that it has presented the non-signing inventor with all the appropriate documents required to execute the Declaration.

22. Accordingly, Applicants' attorney respectfully request that the Commissioner grants this petition on behalf of the other signing inventor, and proceed with the prosecution of this application.

23. A check in the amount of \$1720.00 for the fees of the Petition Under 37 C.F.R. §1.47(a) (\$130.00) and the Petition for Extension of Time to respond to the Decision (\$1590.00) is enclosed herewith.

24. The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER MEYER LLP

Date: April 25, 2005

By: _____



Karl F. Kenna
Reg. No. 45,445

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
(415) 362-3800

Narissa Besada

From: Karl Kenna
Sent: Tuesday, June 08, 2004 2:27 PM
To: 'ddew@bea.com'; 'timb@bea.com'
Subject: Formal documents for patent application

Hi Doug and Tim - attached are a set of formal documents for filing in the application for "SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT". We would appreciate your help in completing this application.

Please review the application, and then sign the attached forms (sign the declaration first, then the assignment). Preferably then fax a copy of the forms to my attention (fax: 415-362-2928), and return the signed originals in the mail whenever you get a chance.

Depending on what's easier for you, you can either each sign your respective pages and send them back to me separately, or take turns signing one copy and send that back - whichever is handiest. There are some blank spaces in the form as regards residence address, citizenship etc - please fill these in, and make any other corrections you wish to make, initialling changes.

(Please also note the assignment doesn't need to be notarized - you can just sign and return it).

Let me know if you have any questions.

Thanks,

-- Karl



1278u1.declaration.1278us1.Assignment1278us1.application1278us1.figures.pdf



t.pdf



.pdf



f

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

Narissa Besada

From: Karl Kenna
Sent: Wednesday, June 09, 2004 10:18 AM
To: Narissa Besada
Subject: FW: Returned mail: see transcript for details



ATT331931.TXT Formal documents
for patent ap...

Hey Narissa - The email to Doug Dew bounced back - he must have left BEA. Who can we contact for former-BEA-employee addresses? Is it Renee Frias, or do you have another contact over at BEA?

Thanks,

-- Karl

-----Original Message-----

From: Mail Delivery Subsystem [mailto:MAILER-DAEMON@uslcmg01.bea.com]
Sent: Tuesday, June 08, 2004 2:45 PM
To: kfk@fdml.com
Subject: Returned mail: see transcript for details

The original message was received at Tue, 8 Jun 2004 17:44:41 -0400
from 207.88.235.14.ptr.us.xo.net [207.88.235.14]

----- The following addresses had permanent fatal errors -----
<ddew@bea.com>
(reason: 550 5.1.1 <ddew@mailhub1.bea.com>... User unknown)
(expanded from: <ddew@bea.com>)

----- Transcript of session follows -----
... while talking to mailhub1.bea.com:
>>> DATA
<<< 550 5.1.1 <ddew@mailhub1.bea.com>... User unknown
550 5.1.1 <ddew@bea.com>... User unknown

Narissa Besada

From: Narissa Besada
Sent: Thursday, June 10, 2004 2:29 PM
To: 'renee.frias@bea.com'
Cc: Karl Kenna
Subject: INVENTOR INFORMATION

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A
PORTAL ENVIRONMENT

Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Hi Renee:

We recently received a Notice to File Missing Parts for the above-identified application. We have attempted to email formal papers to Timothy Breeden and Doug Dew for their execution and also to inquire about their home address and citizenship. Doug Dew's email was returned to us. Is he still with BEA? Do you have his current address and citizenship? While Timothy Breeden's email did not bounce back, we just want to confirm that he still with BEA and if you have his current address and citizenship. We will need this information so that we can fill out the declaration and assignment and send the forms to them directly for their signature. Your assistance is greatly appreciated.

FYI: we have a due date of June 27, 2004

Regards,
Narissa M. Besada
Assistant to Karl F. Kenna
Fliesler Meyer LLP
Four Embarcadero Center, 4th Floor
San Francisco, CA 94111
Telephone: 415-362-3800
Telefax: 415-362-2928
email: nbesada@fdml.com

THE CONTENTS OF THIS MESSAGE AND ANY ATTACHMENTS ARE CONFIDENTIAL. THE CONTENTS AND ATTACHMENTS OF THIS MESSAGE ARE INTENDED FOR THE ADDRESSEE AND THOSE AUTHORIZED BY THE ADDRESSEE TO RECEIVE IT ONLY. ANY REVIEW, RETRANSMISSION, DISSEMINATION, COPYING OR OTHER USE OF, OR TAKING OF ANY ACTION IN RELIANCE UPON, THIS INFORMATION BY PERSONS OR ENTITIES OTHER THAN THE INTENDED RECIPIENT IS STRICTLY PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT OF THIS MESSAGE, PLEASE NOTIFY US IMMEDIATELY OF THE ERROR AND DELETE THE MESSAGE AND ITS ATTACHMENTS FROM YOUR COMPUTER AND SYSTEM AND DESTROY ANY HARDCOPIES OF THIS MESSAGE. THANK YOU FOR YOUR COOPERATION.

Narissa Besada

From: Heather McNamee [heatherm@bea.com]
Sent: Monday, June 14, 2004 10:23 AM
To: Renee Frias
Cc: Narissa Besada
Subject: RE: DOUG DEW FW: INVENTOR INFORMATION

Doug Dew
4610 Raleigh St
Denver, CO 80212

I will need to check on the citizenship piece and get back to you

-----Original Message-----

From: Renee Frias
Sent: Monday, June 14, 2004 10:18 AM
To: hrsolutions@bea.com
Cc: Narissa Besada
Subject: DOUG DEW FW: INVENTOR INFORMATION

Good morning,

Can I get Doug Dew's home address and citizenship info?

-----Original Message-----

From: Narissa Besada [mailto:NBesada@fdml.com]
Sent: Monday, June 14, 2004 9:42 AM
To: Renee Frias
Cc: Karl Kenna
Subject: RE: INVENTOR INFORMATION

Hi Renee:

Do you have (last known) home addresses and citizenship information? If not, do you know who might so that we may contact that person? Thanks for your help.

Regards,
Narissa

-----Original Message-----

From: Renee Frias [mailto:renee@bea.com]
Sent: Thursday, June 10, 2004 3:15 PM
To: Narissa Besada
Cc: Karl Kenna
Subject: RE: INVENTOR INFORMATION

Tim Breeden is still here. I did not see Doug Dew in the system.

-----Original Message-----

From: Narissa Besada [mailto:NBesada@fdml.com]
Sent: Thursday, June 10, 2004 2:29 PM
To: Renee Frias
Cc: Karl Kenna
Subject: INVENTOR INFORMATION

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE
APPLICATION

DEVELOPMENT IN A PORTAL ENVIRONMENT

Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Hi Renee:

We recently received a Notice to File Missing Parts for the above-identified application. We have attempted to email formal papers to Timothy Breeden and Doug Dew for their execution and also to inquire about their home address and citizenship. Doug Dew's email was returned to us. Is he still with BEA? Do you have his current address and citizenship? While Timothy Breeden's email did not bounce back, we just want to confirm that he still with BEA and if you have his current address and citizenship. We will need this information so that we can fill out the declaration and assignment and send the forms to them directly for their signature. Your assistance is greatly appreciated.

FYI: we have a due date of June 27, 2004

Regards,
Narissa M. Besada
Assistant to Karl F. Kenna
Fliesler Meyer LLP
Four Embarcadero Center, 4th Floor
San Francisco, CA 94111
Telephone: 415-362-3800
Telefax: 415-362-2928
email: nbesada@fdml.com

> THE CONTENTS OF THIS MESSAGE AND ANY ATTACHMENTS ARE CONFIDENTIAL.
THE
> CONTENTS AND ATTACHMENTS OF THIS MESSAGE ARE INTENDED FOR THE
> ADDRESSEE AND THOSE AUTHORIZED BY THE ADDRESSEE TO RECEIVE IT ONLY.
> ANY REVIEW, RETRANSMISSION, DISSEMINATION, COPYING OR OTHER USE OF, OR

> TAKING OF ANY ACTION IN RELIANCE UPON, THIS INFORMATION BY PERSONS OR
> ENTITIES OTHER THAN THE INTENDED RECIPIENT IS STRICTLY PROHIBITED. IF

> YOU ARE NOT THE INTENDED RECIPIENT OF THIS MESSAGE, PLEASE NOTIFY US
> IMMEDIATELY OF THE ERROR AND DELETE THE MESSAGE AND ITS ATTACHMENTS
FROM YOUR COMPUTER AND
> SYSTEM AND DESTROY ANY HARDCOPIES OF THIS MESSAGE. THANK YOU FOR
YOUR
> COOPERATION.
>
>
>
>
>

FLIESLER MEYER LLP

INTELLECTUAL PROPERTY LAW

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4156
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FDML.COM

MARTIN C. FLIESLER
SHELDON R. MEYER
THOMAS A. WARD

OF COUNSEL
CHARLES H. JEW
D. BENJAMIN BORSON, Ph.D.

STEPHEN R. BACHMANN
JEFFREY R. KURIN
DANIEL J. BURNS
MICHAEL ROBBINS
JOSEPH P. O'MALLEY
MELISSA L. BASCH
BRYON T. WASSERMAN
SUVASHIS BHATTACHARYA
J. STEVEN SVOBODA

PATENT AGENTS
KARL F. KENNA
SALLY A. SWEDBERG, Ph.D.
T. DAVID XUE, Ph.D.

KARL F. KENNA
kfk@fdml.com

June 15, 2004

VIA FEDERAL EXPRESS

Doug Dew
4610 Raleigh St.
Denver, CO 80212

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT
Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Dear Doug:

Enclosed please find the following original documents for execution with respect to the above-identified patent application:

- Copy of the application as filed;
- Declaration for Patent Application; and
- Joint to Corporate Assignment

Please review the enclosed application and carefully read the Declaration and Assignment before executing them. If there are any changes to your address, please feel free to correct it and fill any blanks, i.e., citizenship information.

If all the statements in the Declaration are true, please sign and date the Declaration. After signing and dating the Declaration, please then execute the Assignment.

When all the documents have been signed, please fax the signed copies of the Declaration and Assignment back to my attention at (415) 362-2928, preferably by **June 25, 2004**. Then please return the originals by mail. You may keep the copy of the application for your records.

We have sent a separate letter and a set of documents to Timothy Breeden for his review and signature.

If you have any questions or comments regarding the patent application or these documents, please do not hesitate to contact me.

Very truly yours,



Karl Kenna

KFK:nmb

Enclosures

cc: Sheldon R. Meyer, Esq. (w/o encl.)

kfk/beas/1278us1.clt.ltr.inventors.miss part2.wpd

[United States Home](#)[Information Center](#) | [Customer Support](#)[Package / Envelope Services](#)[Office / Print Services](#)[Freight Services](#)[Expedited Services](#)[Ship](#)[Track](#)[Rates](#)[Pickup](#)[Locations](#)[Transit Time](#)[International](#)

Track Shipments Detailed Results

[Printable Version](#) [Quick Help](#)

Tracking number 791270638381
Signed for by 3785346
Ship date Jun 15, 2004
Delivery date/time Jun 16, 2004 8:44 am

Reference number BEAS-01278US1
Delivery location DENVER CO
Service type Priority Envelope

Date/time	Status	Location	Comments
Jun 16, 2004 8:44 am	Delivered	DENVER CO	

You can also track

- [By Alternate](#)
- [By Email](#)
- [TCN \(Gov't\)](#)

Track other FedEx

- [FedEx Customer shipments](#)
- [FedEx Tracking shipments](#)
- [International](#)

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From
To

Add a message to this email.

[Send email](#)

Wrong Address?

Reduce future mistakes.
[FedEx Address Checker](#)

Shipping Freight?

FedEx has LTL, air, surface and air express freight, multi piece deliveries, and ocean

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

From: Origin ID: (415)362-3800
NarissaBesada
FLIESLER DUBB MEYER & LOVERJOY
FOUR EMBARCADERO CENTER
FOURTH FLOOR
SAN FRANCISCO, CA 94111



Ship Date: 15JUN04
Actual Wgt: 1 LB
System#: 1406095/INET1850
Account#: S *****

REF: BEAS-01278US1



Delivery Address Bar Code

SHIP TO: (415)362-3800

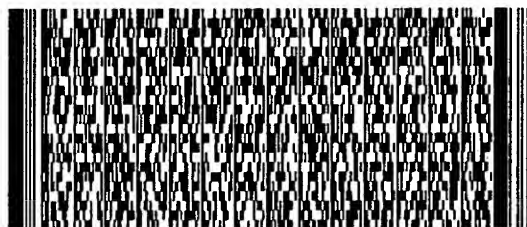
BILL SENDER

Doug Dew

4610 Raleigh St.

Denver, CO 80212

RELEASE#: 3785346



PRIORITY OVERNIGHT

WED

Deliver By:
16JUN04

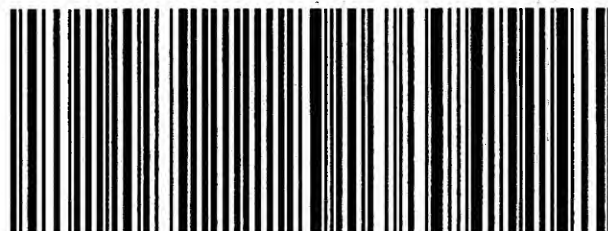
TRK# 7912 7063 8381

FORM
0201

DEN A1

80212 -CO-US

WP TEXA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR SOFTWARE
APPLICATION DEVELOPMENT IN
A PORTAL ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT

the specification of which (check applicable ones):

_____ is filed herewith;
☒ _____ was filed with the above-identified and Appln. No. 10/733,989 on December 11, 2003;
_____ was amended on (or amended through) _____.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole
or first inventor: Timothy Breeden

(1) Residence: 1301 Canyon Blvd., Apt. 309
Boulder, CO 80302-5364

(1) Mailing Address: 2315 North First Street
San Jose, CA 95131

(1) Citizenship: United States

(1) Inventor's signature: _____

(1) Date: _____

(2) Full name of second
joint inventor: Doug Dew

(2) Residence: 4610 Raleigh St.
Boulder, CO 80212

(2) Mailing Address: 2315 North First Street
San Jose, CA 95131

(2) Citizenship: _____

(2) Inventor's signature: _____

(2) Date: _____

**SECTION 1.56. DUTY TO DISCLOSE INFORMATION
MATERIAL TO PATENTABILITY**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.* However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

- (i) Opposing an argument of unpatentability relied on by the Office; or
- (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

* §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

(1) Timothy Breeden
a resident of Boulder, CO; and

(2) Doug Dew
a resident of Denver, CO;

have invented certain new and useful improvements in:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT

(Attorney Docket No.: BEAS-01278US1)

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said invention having been filed on the 11 day of December, 2003, and assigned U.S. Patent Application No. 10/733,989.

WHEREAS BEA Systems, Inc. (hereinafter termed "Assignee"), a corporation of the State of Delaware, having a place of business at 2315 North First Street, San Jose 95131, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a)

for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date as given below and delivered this instrument to said Assignee:

Date (1) Timothy Breeden

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Date

(2) _____

Doug Dew

State of _____

County of _____

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

**SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT**

Inventors: Timothy Breeden
Doug Dew

COPYRIGHT NOTICE

A portion of the disclosure of this patent document contains material which is subject to copyright protection. The copyright owner has no objection to the facsimile reproduction by anyone of the patent document or the patent disclosure, as it appears in the Patent and Trademark Office patent file or records, but otherwise reserves all copyright rights whatsoever.

Claim of Priority:

[0001] This application claims the benefit of U.S. Provisional Application "SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT", Serial No. 60/432,749; filed December 12, 2002, and incorporated herein by reference.

Field of the Invention:

[0002] The invention relates generally to software application development, and particularly to a system and method for application development in a Web portal environment.

Background:

[0003] The development of software applications is an important activity of most modern technology companies, particularly those that are involved with e-commerce. However, while much attention has been given to software development suites that allow for the development of the underlying software

application logic, less attention has been given to creating development suites that can be used to generate a complete software application user interface. This is particularly relevant in the portal application arena (including for example web portals, Internet portals, enterprise portals, etc.), since a portal is designed to provide a wide variety of applications in a graphically rich yet consistent environment.

[0004] Common complaints about traditional development suite offerings include that the widely-used Java Server Page (JSP) programming language is by itself too difficult for software developers to use in developing portal applications. These users (i.e., software developers and the companies who use these development suites) report that they spend too much time, money, and expertise building web applications. They would like to be able to have developers who are not Java experts to be able to productively build web pages.

[0005] Another common complaint is that "Net" style applications are changing the world: including the rise of instant messaging (IM), web services, and pervasive computing, etc. The twin innovations of heterogeneous client devices (including, for example, browsers on PCs; and other types of client software such as Java 2 Micro Edition (J2ME)), and service-oriented architectures, create both an opportunity and a threat to today's current application server vendors in that the prototypical applications that people build are changing fundamentally. If those vendors don't respond to these demands then they will be exposed to other vendors who are more agile. Current technologies, such as Microsoft's .NET framework contain an application development environment for building dynamic web pages using Application Server Pages (ASP), and market research indicates a development suite IDE offering is incomplete without a User Interface (UI) component. However, to date none of the Java-based application server providers have developed a system

that caters to this category of developers and provides them with an easy yet powerful means for creating web and portal applications.

Summary:

5 **[0006]** An embodiment of the invention provides both a design-time and runtime system that makes it easy for developers of varying levels of expertise to build enterprise applications with dynamic user interfaces, and then to deploy those applications on enterprise application platforms, for example on a portal product such as BEA's WebLogic Server Portal. As described herein, the
10 system provides a framework that allows for building dynamic web pages which connect to data sources and web services on the back-end, and which may be integrated into a portal on the front end. Additional embodiments extend the functionality of the system to accommodate both heterogeneous and disconnected clients, and to more tightly integrate the framework with existing
15 content management and portal platforms.

Brief Description of the Figures:

[0007] Figure 1 shows an architectural overview of the principal design-time and runtime components of an embodiment of the present invention.
20 **[0008]** Figure 2 illustrates a design/compile-time environment in accordance with an embodiment of the invention.
[0009] Figure 3 illustrates a runtime environment in accordance with an embodiment of the invention.
[0010] Figure 4 illustrates a flowchart of an application development
25 process in accordance with an embodiment of the invention.

Detailed Description:

[0011] An embodiment of the invention provides both a design-time and runtime system that makes it easy for developers of varying levels of expertise to build enterprise applications with dynamic user interfaces, and then to deploy those applications on enterprise application platforms, for example on a portal product such as BEA's WebLogic Server Portal. As described herein, the system provides a framework that allows for building dynamic web pages which connect to data sources and web services on the back-end, and which may be integrated into a portal on the front end. Additional embodiments extend the functionality of the system to accommodate both heterogeneous and disconnected clients, and to more tightly integrate the framework with existing content management and portal platforms.

[0012] More particularly, an embodiment of the present invention provides an application development system that assists in the developing, debugging, testing, deploying, and running of web applications. The features of this application development system include:

A model for server-side controls that in turn provides a simple model for constructing and re-using presentation and application logic for web applications;

Separation of the presentation logic from the application and business logic, thereby focusing development more specifically on the different users involved (for example web designers, web developers, and J2EE developers);

A common programming model to be used for all development tasks. Embodiments of the invention can be used to provide the same integrated development environment (IDE), framework, and model, for building the application user interface (UI) as is also used for building the server-side resources such as web services. This helps unify development models across

the various tiers of a complex application; and,

A model for creating complete web applications, not just web pages. The system may utilize such features as webflow technology to provide an overall framework for how developers should think about building their web pages and applications.

[0013] The overall effect of these features is to provide a system that allows developers to build web applications for use on an application server, and particularly for use in a portal environment, much faster than with the traditional JSP style of development. By providing an easy-to-use framework, together with controls for constructing elements of dynamic web pages, the use of the present invention results in a significant increase in the developer's productivity, including allowing for one-click integration of portal applications and other applications. Web pages that participate in business processes may be easily deployed and integrated into the portal framework.

[0014] As described herein, an embodiment of the present invention provides a framework for next-generation User Interface (UI) development, which can be tightly integrated with other development products such as BEA's WebLogic Workshop, includes extensibility for controls, and provides a model and architecture that can be extended over time to support additional types of clients, such as J2ME and Flash clients.

SYSTEM ARCHITECTURE

[0015] **Figure 1** shows an architectural overview of the principal design-time and runtime components of one embodiment of the present invention. As shown in **Figure 1**, the design/compile time environment 102

(hereafter simply referred to as design-time environment) is provided to the developer as an integrated development environment (IDE) **100**. The IDE includes design-time components, for example a Java Server Page (JSP) Design/Source Editor **104**, and a Webflow Design/ Source Editor **108**. The JSP Design/Source Editor is used to edit and create JSP pages prior to deployment, while the Webflow Design/ Source Editor **108** is used to edit the Webflow that will eventually determine the logical flow of the application once it's deployed. The runtime environment **202** exists or executes upon or as part of an application server or a comparable server, such as for example the WebLogic Server Portal product from BEA Systems, Inc.

[0016] In accordance with one embodiment, the runtime components include a Control Container and Lifecycle Driver **204** and a Control Factory **206**, which together are used to determine the actual look-and-feel of the application interface. An Application Flow and State Management component **208** uses the previously created webflow information to determine the current state and logical flow of the application as it is being used. Since the design-time and runtime environments are provided as part of a single framework, the developer can easily move or switch (as indicated by the bidirectional arrow) **210** from one environment to the next, and back again, to quickly update and deploy portal applications.

[0017] The following sections provide descriptions of the major modules of the system shown in **Figure 1**.

DESIGN-TIME ENVIRONMENT

[0018] **Figure 2** illustrates a design-time environment **102** in accordance with an embodiment of the invention. The design-time environment **102** allows

a portal application developer to develop JSP-based portal applications using a collection of easy-to-use design and source editors. A JSP design and source editor **104** can be used by the developer to create and edit the Java Server Page source code for a JSP-based portal application page, (as indicated by its JSP design view **107**). Support for additional or third-party JSP compilers **106** may also be included. A webflow design and source editor **108** allows the developer to edit the webflow file or similar logical properties underlying the application (also indicated by its JSP design view **109**). Support for additional webflow compilers **110** may similarly be included.

[0019] In the embodiment shown in **Figure 2**, a visual test and debug component or module **112** is included, which allows the developer to visually test and debug their portal application prior to launching it as an active portal. The design-time environment also includes, in some embodiments, a multi-language compiler **114**, to provide support for multiple languages, document type extension support **116**, and test harnesses and views **118** (where desired). Additional components or modules **120** can be incorporated as necessary to provide additional functionality.

JSP Visual and Source Editors

[0020] In accordance with one embodiment, the JSP design and source editor **104** includes a visual editor. The visual editor provides the graphical design surface that is used by the application developer to design their web pages. From the developer's point of view the visual editor provides the face of the development system from a page perspective, not from a site perspective. Palettes of available controls can be provided and can be placed by the developer onto a page via a drag-and-drop mechanism. The application

developer may access such controls from a visual perspective, and a close-to-WYSIWYG (what you see is what you get) design surface is ultimately rendered.

5 **[0021]** The application developer is at all times able to switch to a source view of the JSPX page from the design surface of the JSP visual editor. The JSPX source code or source file contains references to controls whose appearance is much like a tag library instance.

10 **[0022]** In addition to the graphical design editor, the application developer can also access a backing .java file, which defines the logic found in the page, and which may or may not be separate from the JSPX source file. The .java file typically contains event processing code corresponding to User Interface (UI) control events, and assists in separating the presentation logic from the business logic.

15 Application Flow/State Management Visual and Source Editors

20 **[0023]** In accordance with one embodiment, the webflow design and source editors 108 include a set of Application Flow and State Management editors. Application Flow and State Management editors provide the backbone of actual web site editing, beyond the page design offered by the JSP visual and source editors described above.

25 **[0024]** The Application Flow visual editor provides a visual snapshot of the site flow, and any site processing that dictates flow decisions. Similar to a flowchart, the Application Flow visual editor provides a mechanism by which the application developer can specify the site flow through a series of pages, page groups, flows, and subflows.

[0025] In addition to these graphical flow-editing capabilities, the

application developer has access to the webflow (.wfl) source file editor from within the Application Flow visual editor. Any editing done in either the visual or source Application Flow tools is automatically reflected in the other as the developer designs and tests their site flow.

5

WebFlow

[0026] The WebFlow represents each page in a given WebFlow, the transitions between the pages, and the interactions of the pages with server-side components. The primary purposes of the WebFlow designer are:

- 10 a) to provide the developer with an higher-level view of their application than simply a web page, and
- b) to make it easier for the developer to code and review conditional display of pages based on a current state.

15 **[0027]** The WebFlow must be described in an easy way so that developers can write the conditional logic that determines which pages get rendered as a result of which state and which user action. This logic can be represented using simple code, such as Xscript for example. In one embodiment when the developer is viewing a WebFlow, the IDE provides two navigator tabs,

20 enabling the developer to easily navigate between the design view and the source view.

[0028] In accordance with one embodiment, a WebFlow Designer tool is included which provides a graphical representation of a WebFlow file. A primary goal of the WebFlow designer is simplicity, clarity, and seamless integration with

25 the web page design views. This accords with the notion that it's more important that the model presented by the designer work correctly than it merely appear

nice. The WebFlow Designer is closely integrated with a facility for writing the code for the transitions between pages.

[0029] Features that may be included in the WebFlow Designer in accordance with one embodiment include:

5 A palette for creating new representations of web pages (which may actually be a new page, or a page that has already been created);

 A design surface representing the web pages and their relationships. The surface fills the main window of the IDE, with the palette and properties available from the same view on a side bar;

10 The ability to click on the design view of a transition between pages and then use an easy mechanism (e.g. dialog box) to write the code that handles incoming state from the input page and from the server-side object, the decision of which page to render, and the outgoing state to the new page;

 The ability to set page properties (for example name, caching characteristics, input values, etc.) by selecting a page in the WebFlow design view;

 The ability to resize the flow representation;

 The ability to jump to the code of a specific web page by double-clicking on its representation;

20 A wizard/dialog box/task help;

 A "mini" view of the WebFlow from the IDE when the user is editing a WebPage;

 The re-use of WebFlows. A given WebFlow file may be used in multiple applications, or in multiple places within a single application;

25 The ability to wire two WebFlows together, assuming that the landing page of one becomes the input page of the other (i.e., sequential interactions.)

 The ability to invoke a debugger at the WebFlow level; and,

The ability to select a subset of the pages in the WebFlow, set properties on them, reuse them, and cut/paste/copy into the design view. This is the notion of "page groupings".

5 **[0030]** It should be noted that these features are illustrative of features that can be provided by various embodiments of the invention, and that some or all of such features may or may not be included in any particular implementation.

10 **[0031]** In accordance with one embodiment a webflow Source View editor is included which allows the developer to edit the source file that actually describes the WebFlow of the application. For the software developer, the editing experience of this file is similar to that of editing .jws files - together with common code-editing features such as code complete, syntax color highlighting, squiggling underlining, debugging (with the ability to set breakpoints), etc. The Source View Editor (and the file itself) is designed to be something that the
15 developer is comfortable editing, with the possible assistance of the WebFlow designer. The Source View also interacts seamlessly with the Design View, so that any action the user can take in the design view is also "doable" in the source view.

20 Design View

25 **[0032]** Embodiments of the invention include a means to render within the IDE a "design view" of .JSP, .JSPX, and .HTML pages. The goal of the design view is not fidelity of representation, but rather providing a reasonable approximation of the overall layout of a page so that the developer can make basic formatting (but not necessarily graphic design) decisions. The design view renders both embedded controls and standard HTML, and includes a

palette of controls that are used by dragging and dropping onto the design surface. The design view also contains properties for each instance of a control on the design surface, as well as properties for the overall page. A means is provided for navigating between the design view of a page and the design view of a webflow that contains the page, together with basic editing features such as undo/redo, cut/copy/past, print, etc.

File Editor

[0033] Embodiments of the invention include a file editor, with which the developer is also able to edit .JSP, .JSPX, and HTML files in "source view". The JSP editor enables developers to write, debug, and test standard JSP pages and custom tag libraries. The .JSPX editor provides all the support for tags that a developer might expect: including syntax color highlighting, squiggly underlining, prompting for mandatory tag attributes, validation of tag attributes, etc., and also provides the ability for customers to easily write HTML in the IDE. HTML tags can be automatically recognized, or highlighted, etc..

Page Properties

[0034] Embodiments of the invention allow page properties to be set from either the Page editor (when no control is selected, the page properties are displayed), or from WebFlow (when a page is selected, its properties are displayed). Page properties are likely to include values such as: the Page Title; the use of Caching - i.e. programmatically determine how and for how long a web page is cached on the server; Default styles; Input parameters, and output values; Security - i.e. who is entitled to view the page; and, how the page state is persisted (i.e., server side vs. client side).

Debugging

[0035] Embodiments of the invention allow backing files to be debugged using a Java debugger. A developer may also choose to debug through a given WebFlow so that they can, for example, set a breakpoint in the transition from one page to another, or within a backing file. Developers can set these webflow breakpoints using a code view of the WebFlow file, or from the graphic design-view of the webflow.

CONTROLS

[0036] In accordance with an embodiment of the present invention, controls can be used within the source and page editors to embed functionality within the application page or portal. The following section lists some controls that can be used with the invention to allow the developer to create complex web and portal applications in a quick and easy manner. Generally, controls can be divided into two categories - "Presentation Controls", and "Business Controls".

[0037] Presentation Controls are generally directly translatable into HTML. The following presentation controls are example of those that may be provided:

Form controls and their contents (text boxes, radio buttons, list boxes, buttons, labels, etc.): Forms and form controls may optionally be bound to data validation logic, server-side objects (e.g. db control), or webflow depending upon the properties set on the controls. For example, a Button can have bi-modal behavior depending on whether or not it is set to invoke or to continue a webflow.

Placeholder controls: These controls are used for representing a block of .HTML.

Label/Image/Anchor controls: These controls are used for linking HTML, JPEGs, or GIFs to other web pages.

Style/layout controls: The system provides the ability to describe flow within a page. This requires being able to select, using style/layout controls, a group of presentation controls within a page.

- 5 **[0038]** Business Controls provide a standard Java interface to resources such as EJBs, web services, SQL commands that are to be executed against a database, etc. Developers can then consume business controls in two ways: either by writing Java code and WebFlows that interact with these controls; or by binding page controls (such as tables and forms) to business controls.

10

RUN-TIME ENVIRONMENT

- [0039]** Once the portal page or application has been developed, it can then be deployed onto a server and made accessible to the end user. In addition to providing an integrated development environment, the system described
- 15 herein also provides support for post-deployment runtime features. **Figure 3** shows a run-time environment in accordance with an embodiment of the invention. The run-time environment **202** allows a portal application developer to quickly deploy JSP-based portal applications previously created in the design-time environment **102**. As shown in **Figure 3**, in accordance with one
- 20 embodiment, the run-time environment includes a Control Container and Lifecycle driver **204**, which together with the control factory **206** is used to provide the presentation and business controls on the portal application. An application flow and state management **208** is used to control the logic of the portal application. The run-time environment also includes support for accessing
- 25 EJB containers **210**, servlet containers **212**, and Web applications **214**.

[0040] The control container 204 uses a factory for control creation, and subsequently drives control lifecycles during application request handling. In one embodiment this lifecycle control is accomplished by the control container using wire-up code generation via JSP-compilation (JSPC) modification, in concert
5 with the generated _jspService() method of the JSP servlet. Other models may be supported, including those specified in the Java Standards Requirement JSR-127 standards document, incorporated herein by reference. The controls that live within the container may span such categories as HTML controls, HTML forms controls, data-bound controls, and "rich" controls (for example smart
10 forms/smart tables).

[0041] Development systems or IDE's created in accordance with the present invention provide features beyond simple ASP or .NET style products by offering instead a site-centric approach to web page and web application design. Proper application state management 208 from page to page is the
15 inherent responsibility of the Application Flow engine. As used in one embodiment, a WebFlow infrastructure is used to support and form the backbone of the system. Such WebFlow infrastructures can be provided by e-commerce products such as the Personalization Server product from BEA Systems, Inc. As used in these products, Application Flow and State Management is guided by
20 a file format (.wfl) which exploits annotations that declare possible destinations of a flow transition, according to flow processing. In addition, the .wfe file format dictates what state is shared between which pages, and between which page groups.

[0042] Figure 4 illustrates a flowchart of an application development
25 process in accordance with an embodiment of the invention. As shown in Figure 4, the process includes Design time and Runtime steps. In step 250, the

application developer uses the JSP (Java Server Page) Design Editor to create or update a JSP page, together with embedded controls where desired. In step 252, the application developer uses the Webflow Design Editor to create a webflow and store the webflow as a webflow file (or in some other manner depending on the specific system implementation). Optionally, the developer may, in step 254, perform a visual test or debug of the application. If everything is satisfactory the application is deployed to the server, in step 256. In step 258, the application or portal server populates the Control Container with any needed business and presentation controls from the Control Factory. The application is then displayed or executed, in step 260, together with any applicable controls. In step 262, the system continuously determines the current state of the application, parses the webflow to determine the application logical flow, and then automatically updates the display to the user.

15 TARGET DEVELOPERS

[0043] The software developers who may benefit most from the development system of the present invention include those who do the "bread and butter" of enterprise UI development today. These developers may currently use products and technologies such as VisualBasic, Swing, or Powerbuilder for thick client UI development, or they may use products such as ColdFusion, .ASP, CGI, or .JSP for web development. This class of software developers have a few things in common: They are essentially procedural developers, and they are comfortable writing code, very often script, but they are not as comfortable with heavy-duty Java or C++. Such developers have no problem understanding what objects are, and are familiar with consuming objects, but they are less likely to design objects or EJBs themselves. In short, the target developer is typically one

that prefers simplicity to complexity. Application Program Interfaces such as JDBC and JNDI represent barriers to J2EE that these developers don't want to have to surmount. These developers utilize an iterative development cycle, and typically want to very quickly iterate between the process of constructing their code and testing it out. The development framework must enable them to very rapidly write code and then debug or test it.

[0044] The invention also addresses the needs of those developers who may not be particularly skilled graphic designers. These target developers are those who focus on writing the application logic and presentation logic for web applications. For them, the look and feel won't be as important in these instances (e.g. for developing an intranet expense reporting system), and a graphic designer may not be involved at all. In other instances the web developers will work closely with a graphic designer who might be using a graphical development product such as Macromedia's Dreamweaver.

[0045] The following section outlines the various types of people who may be working on an application development team together with the target developer.

[0046] Analysts: Analysts work with customers (internal and/or external) to understand and document the business requirements of the application to be built, and engineers to determine what is possible and what is not. They write the functional specifications for the application, and they also participate in defining what the screens should look like, writing content for the pages, reviewing prototypes, and testing.

[0047] Graphic designers: Graphic designers take the functional specifications and work with the web developers, customers, and analysts to understand what the screens should look like. They are primarily interested in

aspects such as branding, look and feel, usability, and basic design principles. They deliver complete screen mock-ups of what the page should look like, and may have some basic HTML experience, which they might use in performing the mock-ups, but will typically never write script or other code.

5 **[0048]** Web developers: Web developers take the design and the functional specification and write the front-end of the application. In small projects they may do most of the design work; while in large projects they may do no design work at all. This includes the HTML, client-side script, server-side script for generating dynamic web pages, in addition to any code for integrating with
10 databases or back-end systems. They work with the analysts and the designers to iterate through designs until the overall design is complete and work with the systems engineers and database administrators (DBAs) to understand how to interface to back-end systems.

15 **[0049]** Integration/applications developer: These engineers have similar skills to a web developer, but they are focused on integration with systems, and very often with packaged applications. For example, the application developer might use SAP's ABAP interface to design interfaces for the web developer to then call into a SAP system, they may design workflows (with data transformations) using a Business Process Management (BPM) tool, etc. Or they
20 might use the development system to build web services. The web developer typically must work with the integration engineer to understand how to get at the data he/she needs.

25 **[0050]** Systems engineers: These engineers build the middle-tier logic and communications infrastructure, such as applications that expose legacy systems, or that implement the application security architecture, etc. System engineers typically design a lot of the business objects that the web developer

ends up consuming. They may also review the design work done by the rest of the team.

5 **[0051]** Database Administrators/Developers: There are two types of Database Administrators (DBA): those who primarily just manage the DB (perform back-ups, own security rights, etc.) and those who also design and approve schema changes, write stored procedures, triggers, etc. Depending on the project, the web developer or systems engineer may ask the DBA to run a script which they have created, or they request the DBA do the design work and implementation themselves. In the case of large projects and/or mission-critical
10 databases, the DBA will have a lot of authority and will act as a gatekeeper, reviewing any and all changes to the DB schema and code.

EXAMPLE APPLICATIONS

15 **[0052]** The present invention assists in the application development process by providing a development system that can be used by all developers, and particularly by those target developers described above, to build applications for deployment throughout the enterprise, on the web, and at a portal. Enterprise web applications share a number of common development problems:

20 **[0053]** Web forms may be bound to a web service, an "activity" in BPM, or a stateless session bean. It is possible to use the development system provided by an embodiment of the invention to create a form that invokes a web service or stateless session bean. When the call is synchronous, the resulting response can be easily represented in the return page. When the call is
25 asynchronous (for example if an asynchronous call to a web service is made), then the return (or callback) values may stored in a server-side object.

[0054] A Web form may also be bound to a data object. In accordance with an embodiment of the invention, the system can be used to create a form that performs a query or update on a database object. Basic data validation of the form input can be performed on a field-by-field basis, for example by setting
5 properties on the controls that make up the form (e.g. text box, radio buttons, etc.) Validation is done in the context of the entire form (e.g. one radio button choice may not be valid for a certain range in a given text box).

[0055] A Web table may be bound to a data object. The system can be used to create tables that then are used to represent result sets from a database
10 query performed at runtime.

[0056] Conditional or dynamic pages may be generated based on server-side state. In a number of instances, pages will be displayed conditionally or dynamically based up on either a) the values submitted by the user via a form, b) the link clicked by the user, c) the state of a server-side object or service, or
15 d) the availability of a resource. Developers can describe how various pages are related to one another. This gives them a framework for describing and managing their overall application. The following example illustrates the distinction between conditional generation and dynamic generation:

20 Conditional generation:

1. A user logs in.
2. If the login is valid, a particular page is displayed.
3. If not, a different page is displayed.

25

Dynamic generation (same page structure, dynamic content):

1. A user is checking his or her investment portfolio.
2. They click to navigate between one account and other, and thereby
5 moves from page A to page B.
3. As the new page is rendered, the server-side logic discovers that the
state of the user's notifications has changed - a "sell" order has just been
executed.
4. As a result, page B not only displays the new account information, but
10 also displays a notification in the user's "in" box that a trade has been
executed.

[0057] The present invention may be conveniently implemented using a
conventional general purpose or a specialized digital computer or
15 microprocessor programmed according to the teachings of the present
disclosure. Appropriate software coding can readily be prepared by skilled
programmers based on the teachings of the present disclosure, as will be
apparent to those skilled in the software art.

[0058] In some embodiments, the present invention includes a computer
20 program product which is a storage medium (media) having instructions stored
thereon/in which can be used to program a computer to perform any of the
processes of the present invention. The storage medium can include, but is not
limited to, any type of disk including floppy disks, optical discs, DVD, CD-ROMs,
microdrive, and magneto-optical disks, ROMs, RAMs, EPROMs, EEPROMs,
25 DRAMs, VRAMs, flash memory devices, magnetic or optical cards, nanosystems
(including molecular memory ICs), or any type of media or device suitable for

storing instructions and/or data.

[0059] The foregoing description of the present invention has been provided for the purposes of illustration and description. It is not intended to be exhaustive or to limit the invention to the precise forms disclosed. Many
5 modifications and variations will be apparent to the practitioner skilled in the art. Particularly, while the embodiments of the system described above are described in the context of BEA WebLogic, WebLogic Workshop, and WebLogic Portal servers, it will be evident that the system may be used with other types of application servers and enterprise servers. The embodiments
10 were chosen and described in order to best explain the principles of the invention and its practical application, thereby enabling others skilled in the art to understand the invention for various embodiments and with various modifications that are suited to the particular use contemplated. It is intended that the scope of the invention be defined by the following claims and their equivalence.

15

Claims:

What is claimed is:

1. A system for software application development in a portal environment,
5 comprising:
a design-time environment that allows the design of a portal application,
said design-time environment including
a Java Server Page design editor component, and,
a webflow design editor component;
10 a run-time environment that runs said portal application, said run-time
environment including
a control container and lifecycle driver component,
a control factory component, and,
an application flow and state management component; and,
15 wherein the system can be switched from the design-time environment to
the run-time environment, to automatically effectuate changes from one
environment to the other.
2. The system of claim 1 wherein the design-time environment and the run-
20 time environment are provided as part of an integrated development
environment, that allows an application developer to use both the design-time
environment and the run-time environment, and to switch from one environment
to another to create, edit, update, or run the portal application.
- 25 3. The system of claim 1 wherein the Java Server Page design editor
component is used to edit and create Java Server Page (JSP) pages for use by
the portal application.

4. The system of claim 1 wherein the webflow design editor component is used to edit the webflow that determines the logical flow of the portal application.

5. The system of claim 1 wherein the control container and lifecycle driver component is used to determine the look-and-feel of the portal application interface.

6. The system of claim 1 wherein the control factory component uses a factory for control creation, and subsequently drives control lifecycles during portal application request handling.

7. The system of claim 1 wherein the application flow and state management component is guided by a webflow file format which exploits annotations that declare possible destinations of a flow transition, according to flow processing and dictates what state is shared between which pages, and between which page groups.

8. A method for software application development in a portal environment, comprising the steps of:

20 providing a design-time environment that allows the design of a portal application, said design-time environment including

a Java Server Page design editor component, and,

a webflow design editor component;

25 providing a run-time environment that runs said portal application, said run-time environment including

a control container and lifecycle driver component,

a control factory component, and,

an application flow and state management component; and,
allowing the system to be switched from the design-time environment to
the run-time environment to automatically effectuate changes from one
environment to the other.

5

9. The method of claim 8 wherein the design-time environment and the run-
time environment are provided as part of an integrated development
environment, that allows an application developer to use both the design-time
environment and the run-time environment, and to switch from one environment
10 to another to create, edit, update, or run the portal application.

15

10. The method of claim 8 wherein the Java Server Page design editor
component is used to edit and create Java Server Page (JSP) pages for use by
the portal application.

20

11. The method of claim 8 wherein the webflow design editor component is
used to edit the webflow that determines the logical flow of the portal application.

12. The method of claim 8 wherein the control container and lifecycle driver
component is used to determine the look-and-feel of the portal application
interface.

25

13. The method of claim 8 wherein the control factory component uses a
factory for control creation, and subsequently drives control lifecycles during
portal application request handling.

14. The method of claim 8 wherein the application flow and state

management component is guided by a webflow file format which exploits annotations that declare possible destinations of a flow transition, according to flow processing and dictates what state is shared between which pages, and between which page groups.

5

15. A computer readable medium, including instructions stored thereon which when executed cause the computer to perform the method for software application development in a portal environment, comprising the steps of:

10 providing a design-time environment that allows the design of a portal application, said design-time environment including

a Java Server Page design editor component, and,
a webflow design editor component;

15 providing a run-time environment that runs said portal application, said run-time environment including

a control container and lifecycle driver component,
a control factory component, and,
an application flow and state management component; and,
allowing the system to be switched from the design-time environment to the run-time environment to automatically effectuate changes from one
20 environment to the other.

16. The computer readable medium of claim 15 wherein the design-time environment and the run-time environment are provided as part of an integrated development environment, that allows an application developer to use both the
25 design-time environment and the run-time environment, and to switch from one environment to another to create, edit, update, or run the portal application.

17. The computer readable medium of claim 15 wherein the Java Server Page design editor component is used to edit and create Java Server Page (JSP) pages for use by the portal application.

5 18. The computer readable medium of claim 15 wherein the webflow design editor component is used to edit the webflow that determines the logical flow of the portal application.

10 19. The computer readable medium of claim 15 wherein the control container and lifecycle driver component is used to determine the look-and-feel of the portal application interface.

15 20. The computer readable medium of claim 15 wherein the control factory component uses a factory for control creation, and subsequently drives control lifecycles during portal application request handling.

20 21. The computer readable medium of claim 15 wherein the application flow and state management component is guided by a webflow file format which exploits annotations that declare possible destinations of a flow transition, according to flow processing and dictates what state is shared between which pages, and between which page groups.

22. A method for developing a software application in a portal environment, comprising the steps of:
25 using a Java Server Page design editor to create or update a Java Server Page (JSP) page for the application interface, together with embedded controls;

using a webflow design editor to create a webflow for the application
 logical flow, and to store the webflow as a webflow file;
 optionally performing a visual test or debug of the application;
 deploying the application to a portal server;
 5 populating a control container at the portal server with any needed
 business and presentation controls from a control factory;
 displaying or otherwise executing the application, together with any
 applicable controls; and,
 periodically determining the current state of the application on the portal
 10 server, and parsing the webflow to update the application display to the user.

23. A system for developing a software application in a portal environment,
 comprising:

15 computer-readable instructions which when executed by the computer
 cause the computer to perform the steps of:

 providing a Java Server Page design editor to allow the creation
 or update of a Java Server Page (JSP) page for the application interface,
 together with embedded controls;

20 providing a webflow design editor to allow a developer create a
 webflow for the application logical flow, and to store the webflow as a webflow
 file;

 providing an interface to allow a developer to optionally perform a
 visual test or debug of the application;

25 allowing a developer to deploy the application to a portal server;
 populating a control container at the portal server with any needed
 business and presentation controls from a control factory;

 displaying or otherwise executing the application, together with any

applicable controls; and,

periodically determining the current state of the application on the portal server, and parsing the webflow to update the application display to the user.

5

24. A computer readable medium, including instructions stored thereon which when executed cause the computer to perform the:

providing a Java Server Page design editor to allow the creation or update of a Java Server Page (JSP) page for the application interface, together with embedded controls;

10

providing a webflow design editor to allow a developer create a webflow for the application logical flow, and to store the webflow as a webflow file;

providing an interface to allow a developer to optionally perform a visual test or debug of the application;

15

allowing a developer to deploy the application to a portal server;

populating a control container at the portal server with any needed business and presentation controls from a control factory;

displaying or otherwise executing the application, together with any applicable controls; and,

20

periodically determining the current state of the application on the portal server, and parsing the webflow to update the application display to the user.

Abstract:

A design/compile-time, and runtime software development system that allows developers of varying levels of expertise to build enterprise applications with dynamic user interfaces. The system allows for building dynamic web pages which connect to data sources on the back-end, and which may be integrated into a portal on the front end. In one embodiment the system comprises an IDE having a design-time environment that allows the design of a portal application, said design-time environment including a Java Server Page design editor component, and a webflow design editor component; a run-time environment for execution on a server and that runs said portal application, said run-time environment including a control container and lifecycle driver component, a control factory component, and an application flow and state management component; wherein the system can be switched from the design-time environment to the run-time environment, to automatically effectuate changes from one environment to the other.

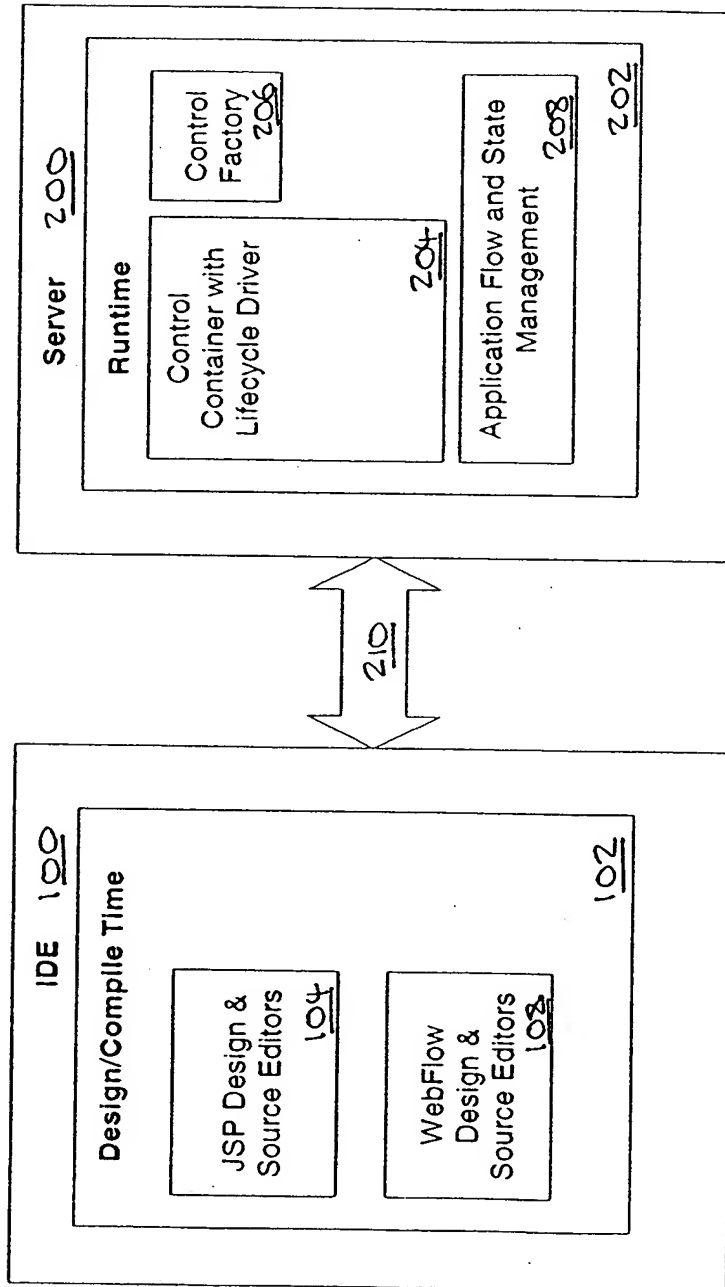


Figure 1

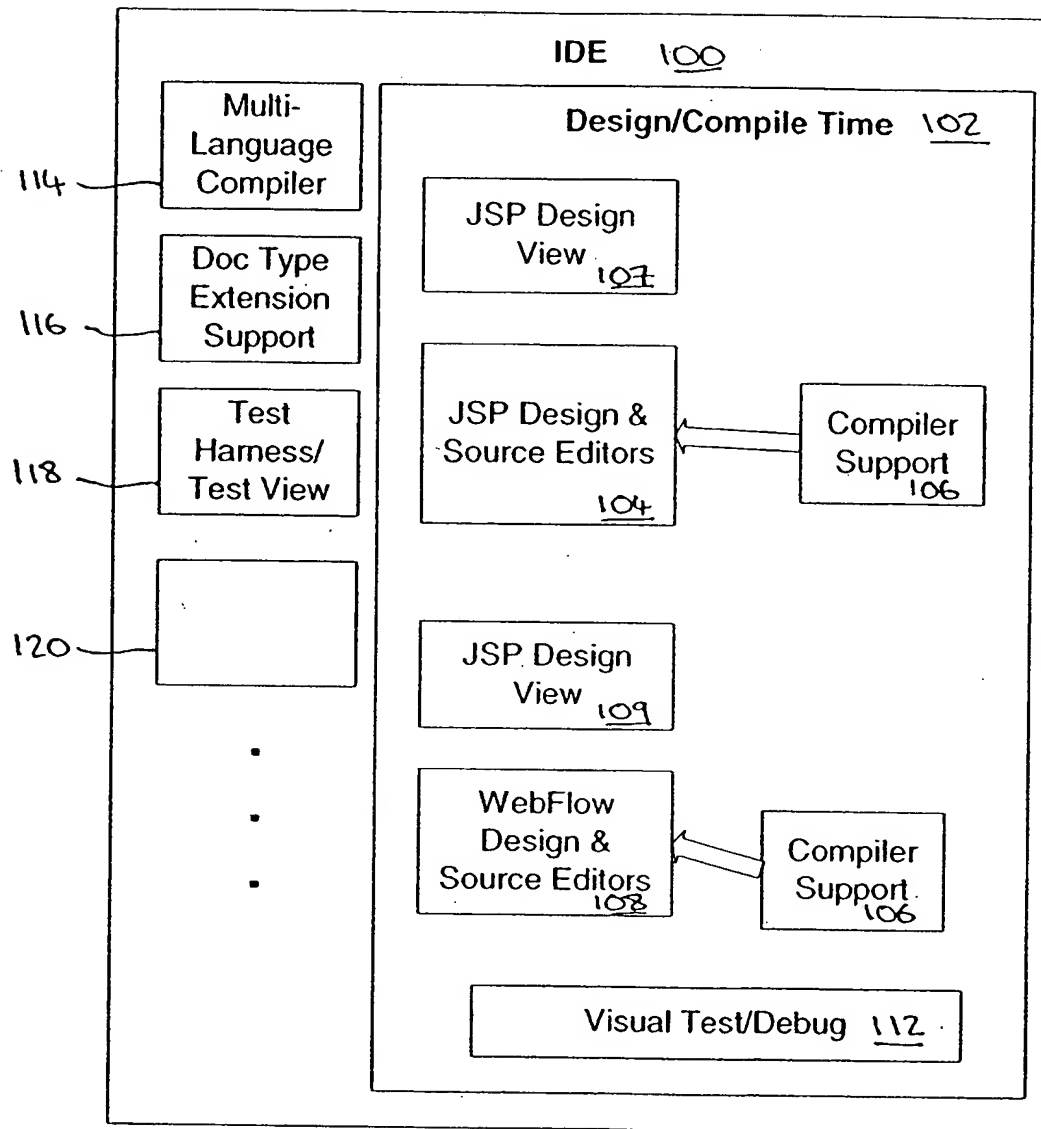


Figure 2

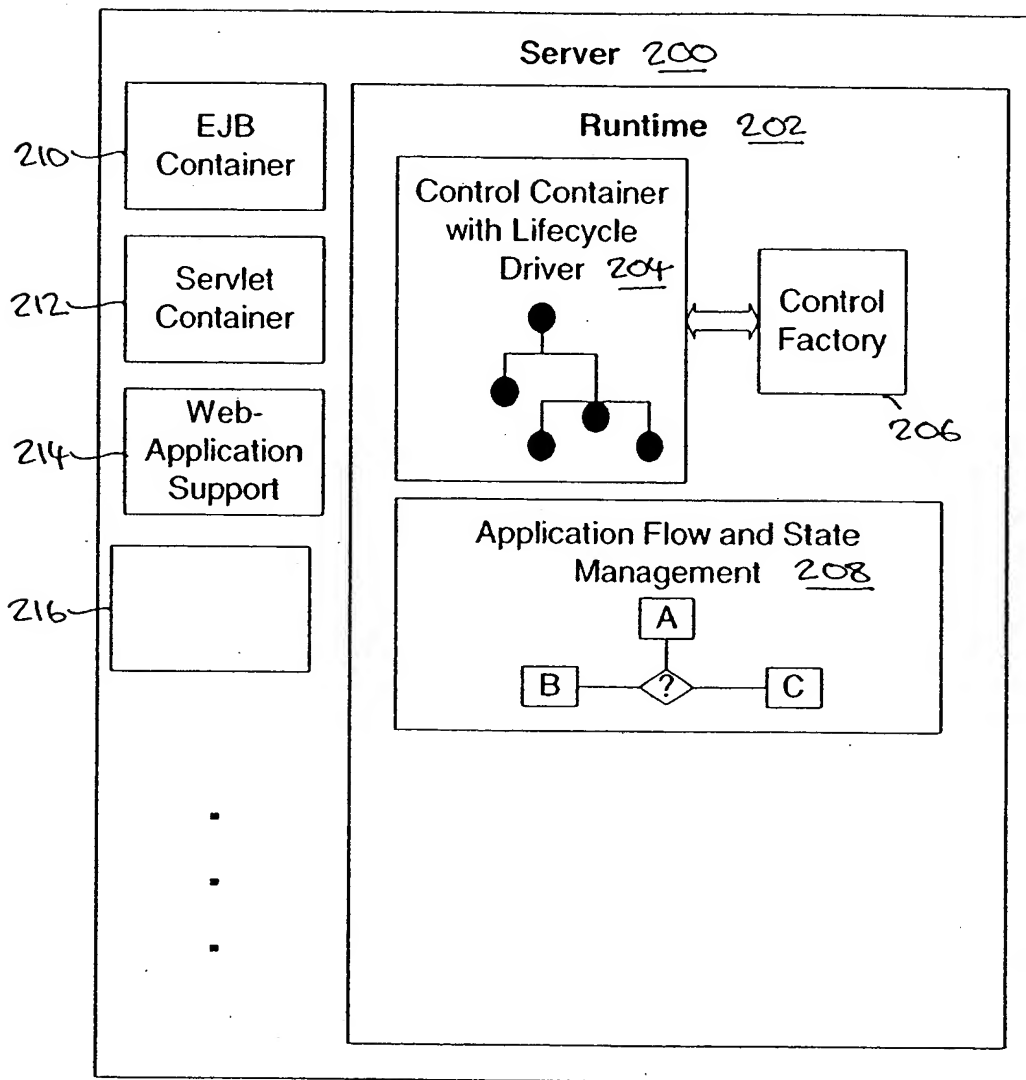


Figure 3

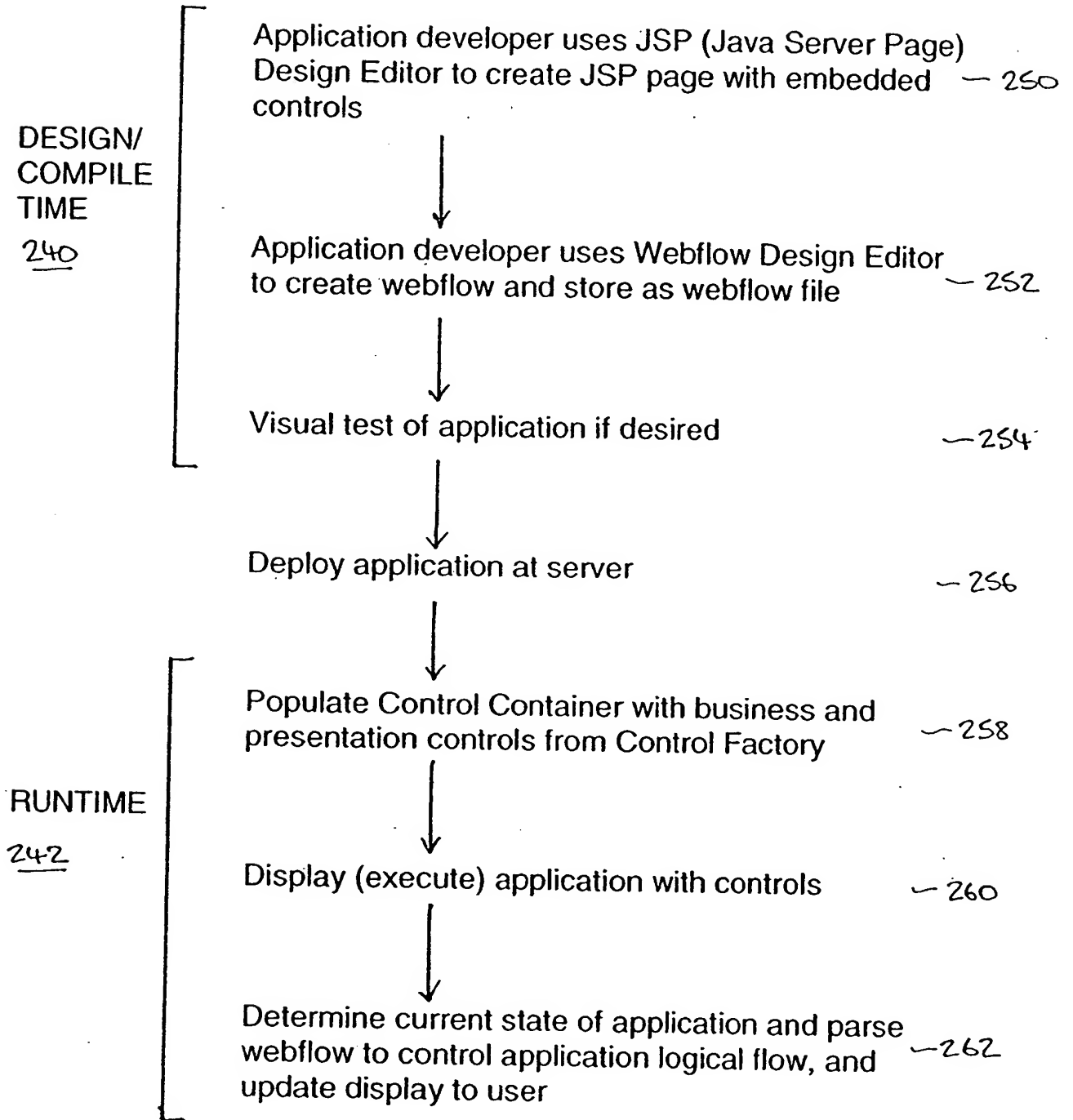


Figure 4

FLIESLER MEYER LLP

INTELLECTUAL PROPERTY LAW

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4156
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FDML.COM

MARTIN C. FLIESLER
SHELDON R. MEYER
THOMAS A. WARD

OF COUNSEL
CHARLES H. JEW
D. BENJAMIN BORSON, PH.D.

STEPHEN R. BACHMANN
JEFFREY R. KURIN
DANIEL J. BURNS
MICHAEL ROBBINS
JOSEPH P. O'MALLEY
MELISSA L. BASCH
BRYON T. WASSERMAN
SUVASHIS BHATTACHARYA
J. STEVEN SVOBODA

PATENT AGENTS
KARL F. KENNA
SALLY A. SWEDBERG, PH.D.
T. DAVID XUE, PH.D.

KARL F. KENNA
kfk@fdml.com

July 15, 2004

VIA FEDERAL EXPRESS

Timothy Breeden
1301 Canyon Blvd., Apt. 309
Boulder, CO 80302-5364

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT
Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Dear Tim:

Further to our letter of June 15, 2004, we have not yet received the executed Declaration for Patent Application and the Joint to Corporate Assignment from you. The U.S. Patent and Trademark Office requires that we submit these documents. For your convenience, we are enclosing another set of documents for you to execute.

If there are any changes to your address, please feel free to correct it and fill any blanks, i.e., citizenship information. If all the statements in the Declaration are true, please sign and date the Declaration. After signing and dating the Declaration, please then execute the Assignment.

When all the documents have been signed, please return it to us in the prepaid Federal Express envelope, preferably by July 26, 2004.

We have sent a separate letter and a set of documents to Doug Dew for his review and signature.

If you have any questions or comments regarding the patent application or these documents, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Karl Kenna', written in a cursive style.

Karl Kenna

KFK:nmb

Enclosures

cc: Sheldon R. Meyer, Esq. (w/o encl.)

kfk/beas/1278us1.clt.ltr.inventors.miss part3.wpd

[United States Home](#)[Information Center](#) | [Custom](#)[Package / Envelope Services](#)[Office / Print Services](#)[Freight Services](#)[Expedited Servi](#)[Ship](#)[Track](#)[Manage My Account](#)[International Tools](#)

Track Shipments Detailed Results

[Printable Version](#) [Quick Help](#)

Tracking number 792685973554
Signed for by 3785346
Ship date Jul 15, 2004
Delivery date/time Jul 16, 2004 10:15 am

Reference number BEAS-01278US1
Delivery location BOULDER CO
Service type Priority Envelope

Date/Time	Status	Location	Comments
Jul 16, 2004 10:15 am	Delivered	BOULDER CO	

You can also track

- [By Alternat](#)
- [By Email](#)
- [TCN \(Gov't](#)

Track other FedEx

- [FedEx Cus shipments](#)
- [FedEx Trac shipments](#)
- [Internation](#)

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From
To

Add a message to this email.

[Send email](#)

[Wrong Address?](#)
Reduce future mistal
[FedEx Address Che](#)

[Shipping Freight?](#)
FedEx has [LTL](#), [air](#)
[surface](#) and [air exp](#)
[freight](#), [multi piece](#)
[deliveries](#), and [oce](#)

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

From: Origin ID: (415)362-3800
Narissa Besada
FLIESLER DUBB MEYER & LOVERJOY
FOUR EMBARCADERO CENTER
FOURTH FLOOR
SAN FRANCISCO, CA 94111



Ship Date: 15JUL04
Actual Wgt: 1 LB
System#: 1406095/INET1850
Account#: S *****

REF: BEAS-01278US1



Delivery Address Bar Code

SHIP TO: (415)362-3800

BILL SENDER

Timothy Breeden

1301 Canyon Blvd., Apt. 309

Boulder, CO 803025364

RELEASE#: 3785346

PRIORITY OVERNIGHT

FRI

Deliver By:
16JUL04

TRK# 7926 8597 3554

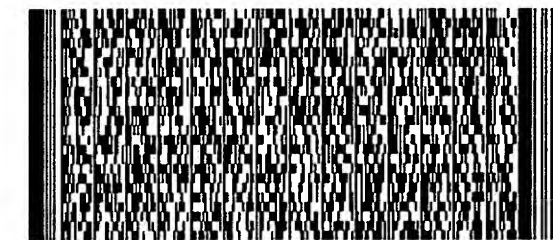
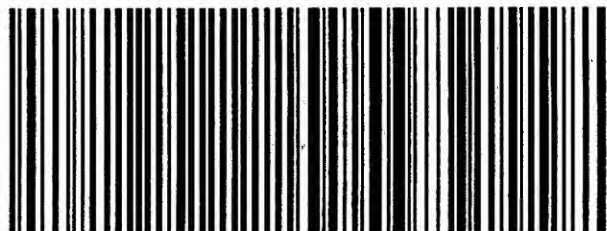
FORM
0201

DEN

A2

80302 -CO-US

WP FNLA



Shipping Label: Your shipment is complete

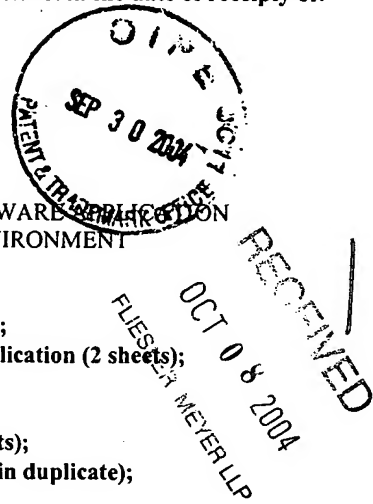
1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

The U.S. Patent Office date stamp and Serial No. (if a new application) sets forth the date of receipt of:

Client: BEA SYSTEMS, INC.
Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Art Unit: Unassigned
Confirmation No.: 2063
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT



Enclosed:

- Response to Notice to File Missing Parts (2 sheets, in duplicate);
- COPY of Notice to Filing Missing Parts of NonProvisional Application (2 sheets);
- Petition Under 37 CFR §1.47 (2 sheets);
- Declaration Under 37 CFR §1.47 (4 sheets);
- Declaration for Patent Application of Timothy Breeden (2 sheets);
- Petition for Extension of Time Under 37 CFR §1.136 (3 sheets, in duplicate);
- Check in the amount of \$1250.00 for filing fee.

File No.: BEAS-01278US1
Date Mailed: September 27, 2004

Attorney/Sec: SRM:KFK:nmb
Date Due: September 27, 2004

Fliesler Meyer LLP

File: BEAS-01278US1
Action Item: status
Date Due: march 30, 2005
Critical Date: march 30, 2005
Attorney Path: SRM/KFK
Docketed By: JEN
Verified By: [Signature]

Remark

Fliesler Meyer LLP

File: BEAS-01278US1
Action Item: Action #1?
Date Due: February 11, 2005
Critical Date: February 11, 2005
Attorney Path: SRM/KFK
Docketed By: PRV. bkjd
Verified By: [Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR
SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL
ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on September 27, 2004.



(Attorney Signature)

Karl F. Kenna, Reg. No. 45,445

Signature Date: September 27, 2004

RESPONSE TO NOTICE TO FILE MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted, dated **April 27, 2004**, enclosed are the following documents in connection with the above-identified application:

- ✓ Copy of Notice to File Missing Parts -- Filing Date Granted
- ✓ Petition Under 37 C.F.R. §1.47 on Behalf of Signing Inventors to Accept Declaration in Response to A Missing Parts Without The Signature of a Joint Inventor
- ✓ Declaration under 37 C.F.R. §1.47 on Behalf of Signing Inventors in Support of Petition to Accept Declaration in Response to A Missing Parts Without the Signature of a Joint Inventor
- ✓ Declaration for Patent Application of Timothy Breeden

✓

Assignment and Assignment Recordation Form Cover Sheet

Total Fee

The Total Fee associated with this communication has been calculated as shown below:


<u>✓</u>	Petition for Three-Month Extension of Time	\$950.00
<u>✓</u>	Petition fee under 37 C.F.R. §1.17(i)	\$130.00
<u>✓</u>	Assignment recording fee (\$40.00)	\$40.00
<u>✓</u>	Surcharge under 37 C.F.R. §1.16(e) for late filing of filing fee or Declaration:	
<u>✓</u>	Large Entity	\$130.00
<u>—</u>	Small Entity	\$ 65.00
TOTAL FEE DUE:		<u>\$1250.00</u>

Method of Payment of Fees

- ✓ A check in the amount of the TOTAL FEE DUE is enclosed.
- ✓ The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: September 27, 2004

By: 
Karl F. Kenna
Reg. No. 45,445

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone (415) 362-3800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/733,989	12/11/2003	Timothy Breeden	BEAS-01278US1

23910
 FLIESLER MEYER, LLP
 FOUR EMBARCADERO CENTER
 SUITE 400
 SAN FRANCISCO, CA 94111

CONFIRMATION NO. 2063

FORMALITIES LETTER



OC000000012456896

Date Mailed: 04/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

B. To

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR
SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL
ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, on September 27, 2004.



(Agent Signature)

Karl F. Kenna, Reg. No.: 45,445

Signature Date: September 27, 2004

**PETITION UNDER 37 C.F.R. §1.47 ON BEHALF OF
SIGNING INVENTORS TO ACCEPT DECLARATION IN RESPONSE TO
A MISSING PARTS WITHOUT THE SIGNATURE OF A JOINT INVENTOR**

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

Sir:

The signing inventor, through the below-signed attorney in the above-identified application, hereby petition the Commissioner to accept Applicants' Response to Notice to File Missing Parts.

Avoidance of Further Delay

To avoid any further delay and additional fees in its Response to the Notice to File Missing Parts in the above, and to submit all formal documents in a timely manner, the signing inventor petition the Commissioner to deem Applicants' missing parts requirement fulfilled, and to proceed with further prosecution of the herein case without further attempts required of Applicants in obtaining inventor Doug Dew's execution of formal documents.

Applicants' Response to Notice to File Missing Parts is enclosed along with all required formal documents.

Also enclosed is a \$130.00 petition fee required by 37 CFR §1.17(i), and included in the total amount submitted in Applicant's Response to Notice to File Missing Parts.

The Commissioner is hereby authorized to charge underpayment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER MEYER LLP

Date: September 27, 2004

By: _____



Karl F. Kenna
Reg. No. 45,445

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR
SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL
ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on September 27, 2004.



(Agent Signature)

Karl F. Kenna, Reg. No.: 45,445

Signature Date: September 27, 2004

**DECLARATION UNDER 37 C.F.R. §1.47 ON BEHALF OF
SIGNING INVENTORS IN SUPPORT OF
PETITION TO ACCEPT DECLARATION IN RESPONSE TO
A MISSING PARTS WITHOUT THE SIGNATURE OF A JOINT INVENTOR**

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

Sir:

Applicants, through their undersigned attorney, hereby petitions the Commissioner to accept Applicants' Response to Notice to File Missing Parts in the above-identified application. Applicants make the following declaration:

Declaration by Applicant

1. Inventor Doug Dew, a former employee of BEA Systems, Inc., is a joint inventor in the above-identified application, assigned or to be assigned to BEA Systems, Inc.

2. On June 8, 2004, Applicants' attorney, in his customary practice of obtaining executed formal papers, namely a Declaration for Patent Application, and an Assignment from the inventors and employees of BEA Systems, Inc., sent an email to the inventors Timothy Breeden and Doug Dew at their email addresses at BEA Systems, Inc. identified as follows: timb@bea.com and ddew@bea.com.

3. On June 9, 2004, Applicants' attorney received an email notification stating that the email sent to Doug Dew dated June 8, 2004 was returned because the email address had permanent fatal errors.

4. On June 10, 2004, Applicants' attorney contacted BEA Systems, Inc. to inquire about the two inventors' current home address, citizenship, and if they were still employed with BEA Systems, Inc. On June 14, 2004, Applicants' attorney learned that Timothy Breeden was still employed at BEA Systems, Inc. and Doug Dew was not.

5. On June 15, 2004, after learning of the inventors' home addresses, Applicants' attorney prepared the necessary formal documents required in all newly filed patent applications, and sent via FedEx a set of formal documents to each of the inventors for execution.

6. On July 15, 2004, after Applicants' attorney received no response from either inventors, Applicants' attorney therefore sent a follow-up letter to both inventors via FedEx.

7. On August 24, 2004, Applicants' attorney received Timothy Breeden's executed formal documents which Applicants' attorney will be filing with this Petition with the U.S. Patent and Trademark Office.

8. On August 24, 2004, Applicants' attorney again sent a follow-up letter to Doug Dew via FedEx.

9. On August 26, 2004, Applicants' attorney learned that Doug Dew's home address had changed to an address in Champaign, Illinois, and subsequently Applicants' attorney sent a follow-up letter via FedEx.

10. On September 13, 2004, Applicants' attorney followed up with Doug Dew via email and Applicants' attorney received a response from Doug Dew on September 14, 2004 stating that he had returned to Applicants' attorney all formal papers. Indeed the undersigned attorneys' office received formal papers from Doug Dew for other patent applications which he is a named inventor but not one for this particular patent application which Applicants' attorney communicated to Doug Dew on September 14, 2004.

11. On September 24, 2004, after not receiving the formal documents or a response from Doug Dew, Applicants' attorney then followed up with an email to inquire about the formal documents.

12. On September 24, 2004, the office of the Applicants' attorney called information "411" to obtain Doug Dew's home telephone number in an attempt to call him but discovered that his phone number is unlisted.

13. Applicants' attorney believes it has made a diligent effort in attempting to contact inventor, Doug Dew so as to fulfill the formal documents requirement in a timely manner. Due to the above-described delays however, Applicant has been to date unable to obtain a signed Declaration from this inventor. To avoid any further delay and additional fees in its Response to the Notice to File Missing Parts in the above, and to submit all formal documents in a timely manner, Applicant and the signing inventor petitions the Commissioner to deem Applicants' missing parts requirement fulfilled, and to proceed with further prosecution of the herein case without further attempts required of Applicants in obtaining inventor Doug Dew's execution of formal documents.

14. Inventor Doug Dew's last known contact information is 2545 W. Springfield, Apt. 6, Champaign, IL 61821.

Respectfully submitted,

FLIESLER MEYER LLP

Date: September 27, 2004

By: _____



Karl F. Kenna
Reg. No. 45,445

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
(415) 362-3800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

PATENT APPLICATION

Inventor(s): Timothy Breeden and Doug Dew

Appln. No.: 10/733,989

Confirm. No.: 2063

Filed: December 11, 2003

Title: SYSTEM AND METHOD FOR SOFTWARE
APPLICATION DEVELOPMENT IN
A PORTAL ENVIRONMENT

Art Unit: Unassigned

Examiner: Unassigned

Customer No.: 23910

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT

the specification of which (check applicable ones):

- _____ is filed herewith;
- ☒ _____ was filed with the above-identified and Appln. No. 10/733,989 on December 11, 2003;
- _____ was amended on (or amended through) _____.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56.

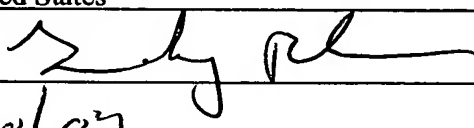
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole
or first inventor: Timothy Breeden

(1) Residence: 1301 Canyon Blvd., Apt. 309
Boulder, CO 80302-5364

(1) Mailing Address: 2315 North First Street
San Jose, CA 95131

(1) Citizenship: United States

(1) Inventor's signature: 

(1) Date: 8/20/07

(2) Full name of second
joint inventor: Doug Dew

(2) Residence: 4610 Raleigh St.
Boulder, CO 80212

(2) Mailing Address: 2315 North First Street
San Jose, CA 95131

(2) Citizenship: _____

(2) Inventor's signature: _____

(2) Date: _____

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Customer No. 23910

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Timothy Breeden

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: BEA SYSTEMS, INC.

Address: 2315 North First Street

San Jose, CA 95131

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 8/20/04

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

A. Patent Application No.: 10/733,989

B. Confirmation No.: 2063

Title: SYSTEM AND METHOD FOR
SOFTWARE APPLICATION DEVELOPMENT
IN A PORTAL ENVIRONMENT

Filed Date: December 11, 2003

C. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

If this document is being filed together with a new application, the execution date of the application is: N/A

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Sheldon R. Meyer

Address: Fliesler Meyer LLP

Four Embarcadero Center, Fourth Floor

San Francisco, CA 94111

Telephone: (415) 362-3800

6. Total Number of applications and patents involved: 1 X \$40.00 each

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Check Enclosed

8. Fee Authorization. Authorization is given to charge any additional fees or credit any overpayment to Deposit Account No. 06-1325.

Copy. (A duplicate copy of this authorization is not enclosed.)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Karl F. Kenna

Attorney (Reg. No.: 45,445)


Signature

9/27/2004
Date

10. Total number of pages to be recorded: 4 (1 page cover sheet and 3 page document).

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

(1) Timothy Breeden,
a resident of Boulder, CO; and

(2) Doug Dew,
a resident of Denver, CO;

have invented certain new and useful improvements in:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT

(Attorney Docket No.: BEAS-01278US1)

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said invention having been filed on the 11 day of December, 2003, and assigned U.S. Patent Application No. 10/733,989.

WHEREAS BEA Systems, Inc. (hereinafter termed "Assignee"), a corporation of the State of Delaware, having a place of business at 2315 North First Street, San Jose 95131, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a)

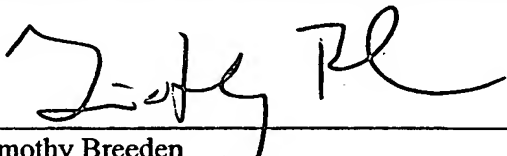
for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date as given below and delivered this instrument to said Assignee:

8/20/04
Date

(1) 
Timothy Breeden

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Date

(2) _____
Doug Dew

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR
SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL
ENVIRONMENT

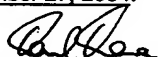
PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on September 27, 2004.



(Attorney Signature)

Karl F. Kenna, Reg. No. 45,445

Signature Date: September 27, 2004

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated April 27, 2004 a shortened period for response was set to expire on June 27, 2004.

Pursuant to 37 C.F.R. §1.136(a), Applicants hereby petition the Commissioner for an extension of time for responding to the Office Action up to and including September 27, 2004.

____ Applicant(s) hereby claim small entity status under 37 C.F.R. § 1.27.

The amount of the petition fee set by 37 C.F.R. §1.17 is determined as follows:

Fee (Large Entity/Small Entity)	Extended Month
_____ \$ 110.00/\$ 55.00	First
_____ \$ 420.00/\$210.00	Second
✓_____ \$ 950.00/\$475.00	Third
_____ \$1,480.00/\$740.00	Fourth
_____ \$2,010.00/\$1,005.00	Fifth

TOTAL PETITION FEE \$950.00

The TOTAL PETITION FEE is included with the payment of other papers filed together with this petition.


The other papers enclosed or associated with this communication include:

- ✓_____ Response to Notice to File Missing Parts
- ✓_____ Copy of Notice to File Missing Parts -- Filing Date Granted
- ✓_____ Petition Under 37 C.F.R. §1.47 on Behalf of Signing Inventors to Accept Declaration in Response to A Missing Parts Without The Signature of a Joint Inventor
- ✓_____ Declaration under 37 C.F.R. §1.47 on Behalf of Signing Inventors in Support of Petition to Accept Declaration in Response to A Missing Parts Without the Signature of a Joint Inventor
- ✓_____ Declaration for Patent Application of Timothy Breeden
- ✓_____ Assignment and Assignment Recordation Form Cover Sheet

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: September 27, 2004

By: 
Karl F. Kenna
Reg. No. 45,445

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800

FLIESLER MEYER LLP

INTELLECTUAL PROPERTY LAW

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4156
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FDML.COM

MARTIN C. FLIESLER
SHELDON R. MEYER
THOMAS A. WARD

OF COUNSEL
CHARLES H. JEW
D. BENJAMIN BORSON, PH.D.

STEPHEN R. BACHMANN
JEFFREY R. KURIN
DANIEL J. BURNS
MICHAEL ROBBINS
JOSEPH P. O'MALLEY
MELISSA L. BASCH
BRYON T. WASSERMAN
SUVASHIS BHATTACHARYA
J. STEVEN SYOBODA

PATENT AGENTS
KARL F. KENNA
SALLY A. SWEDBERG, PH.D.
T. DAVID XUE, PH.D.

KARL F. KENNA
kfk@fdml.com

August 24, 2004

VIA FEDERAL EXPRESS

Doug Dew
4610 Raleigh St.
Denver, CO 80212

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT
Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Dear Doug:

Please note we have not yet received the executed Declaration for Patent Application and the Joint to Corporate Assignment from you in the above-referenced matter. The U.S. Patent and Trademark Office requires that we submit these documents before they process the application. For your convenience, we are enclosing another set of documents, together with a stamped self-addressed envelope.

Please review the Declaration, and if all of the statements therein are true, please sign and date the Declaration. After signing and dating the Declaration, please then execute the Assignment. Please feel free to make any changes or corrections to your name, address, citizenship information, etc.

When all the documents have been signed, please return them to us by fax at (415) 362-2928, and return the originals at your convenience in the stamped self-addressed envelope, so that we may file them with the U.S. Patent and Trademark Office.

Doug Dew

Page 2

August 24, 2004

If you have any questions or comments regarding the patent application or these documents, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Karl Kenna', written in a cursive style.

Karl Kenna

KFK:nmb

Enclosures

cc: Sheldon R. Meyer, Esq. (w/o encl.)

kfk/beas/1278us1.clt.ltr.inventors.miss part4a.wpd

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR SOFTWARE
APPLICATION DEVELOPMENT IN
A PORTAL ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT

the specification of which (check applicable ones):

_____ is filed herewith;
✓ _____ was filed with the above-identified and Appln. No. 10/733,989 on December 11, 2003;
_____ was amended on (or amended through) _____.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole
or first inventor: Timothy Breeden

(1) Residence: 1301 Canyon Blvd., Apt. 309
Boulder, CO 80302-5364

(1) Mailing Address: 2315 North First Street
San Jose, CA 95131

(1) Citizenship: United States

(1) Inventor's signature: _____

(1) Date: _____

(2) Full name of second
joint inventor: Doug Dew

(2) Residence: 4610 Raleigh St.
Boulder, CO 80212

(2) Mailing Address: 2315 North First Street
San Jose, CA 95131

(2) Citizenship: _____

(2) Inventor's signature: _____

(2) Date: _____

**SECTION 1.56. DUTY TO DISCLOSE INFORMATION
MATERIAL TO PATENTABILITY**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.* However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office; or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

* §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

(1) Timothy Breeden
a resident of Boulder, CO; and

(2) Doug Dew
a resident of Denver, CO;

have invented certain new and useful improvements in:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT

(Attorney Docket No.: BEAS-01278US1)

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said invention having been filed on the 11 day of December, 2003, and assigned U.S. Patent Application No. 10/733,989.

WHEREAS BEA Systems, Inc. (hereinafter termed "Assignee"), a corporation of the State of Delaware, having a place of business at 2315 North First Street, San Jose 95131, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a)

for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date as given below and delivered this instrument to said Assignee:

Date (1) _____
Timothy Breeden

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Date

(2) _____
Doug Dew

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

[United States Home](#)[Information Center](#) | [Custom](#)[Package / Envelope Services](#)[Office / Print Services](#)[Freight Services](#)[Expedited Servi](#)[Ship](#)[Track](#)[Manage My Account](#)[International Tools](#)Track Shipments
Detailed Results[Printable Version](#)[Quick Help](#)

Tracking number 792074268037
 Signed for by 3785346
 Ship date Aug 24, 2004
 Delivery date/time Aug 25, 2004 12:12 pm

Reference number BEAS-01278US1
 Delivered to Recipient
 Delivery location DENVER CO
 Service type Standard Envelope

You can also track

- [By Alternat](#)
- [By Email](#)
- [TCN \(Gov't](#)

Track other FedEx

- [FedEx Cus shipments](#)
- [FedEx Trac shipments](#)
- [Internation](#)

Date/Time	Status	Location	Comments
Aug 25, 2004 12:12 pm	Delivered	DENVER CO	No signature required - release waiver on file
12:12 pm	Delivered	DENVER CO	No signature required - release waiver on file
7:15 am	On FedEx vehicle for delivery	DENVER CO	
6:53 am	Arrived at FedEx Destination Location	DENVER CO	
5:54 am	Left FedEx Ramp	DENVER CO	
5:17 am	Arrived at FedEx Ramp	DENVER CO	
Aug 24, 2004 9:55 pm	Arrived at Sort Facility	OAKLAND CA	
7:20 pm	Left FedEx Origin Location	SAN FRANCISCO CA	
4:08 pm	Pickup status	SAN FRANCISCO CA	Pre-routed meter pkg picked up

[Wrong Address?](#)
 Reduce future mistal
[FedEx Address Che](#)

[Shipping Freight?](#)
 FedEx has [LTL](#), [air](#),
[surface](#) and [air exp](#)
[freight](#), [multi piece](#)
[deliveries](#), and [oce](#)

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From
 To

Add a message to this email.

[Send email](#)

[Global Home](#) | [Service Info](#) | [About FedEx](#) | [Investor Relations](#) | [Careers](#) | [fedex.com Terms of Use](#) | [Privacy Policy](#)

This site is protected by copyright and trademark laws under US and International law. All rights reserved. © 1995-2004 FedEx

From: Origin ID: (415)362-3800
Narissa Besada
FLIESLER DUBB MEYER & LOVERJOY
FOUR EMBARCADERO CENTER
FOURTH FLOOR
SAN FRANCISCO, CA 94111



Ship Date: 24AUG04
Actual Wgt: 1 LB
System#: 1406095/INET1850
Account#: S *****

REF: BEAS-01278US1



Delivery Address Bar Code

SHIP TO: (415)362-3800

BILL SENDER

Doug Dew

4610 Raleigh St.

Denver, CO 80212

RELEASE#: 3785346

STANDARD OVERNIGHT

WED

Deliver By:
25AUG04

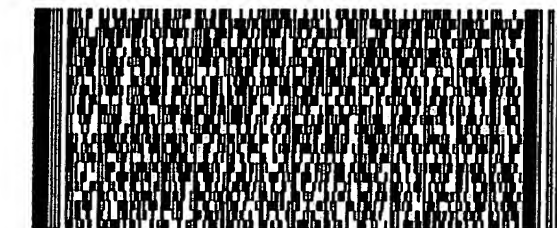
TRK# 7920 7426 8037

FORM
0201

DEN A1

80212 -CO-US
RES

WP TEXA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Narissa Besada

From: Tammy Kaplan
Sent: Wednesday, August 25, 2004 10:56 AM
To: Narissa Besada
Subject: FW: Doug Dew

-----Original Message-----

From: Bruce Ponte
Sent: Tuesday, August 17, 2004 10:16 AM
To: Tammy Kaplan
Subject: Doug Dew

2545 W. Springfield, Apt. 6
Champaign, IL 61821

Yahoo IM DougDew
e-mail doug@dew.name

8/25/2004

FLIESLER MEYER LLP

INTELLECTUAL PROPERTY LAW

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4156
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FDML.COM

MARTIN C. FLIESLER
SHELDON R. MEYER
THOMAS A. WARD

OF COUNSEL
CHARLES H. JEW
D. BENJAMIN BORSON, PH.D.

STEPHEN R. BACHMANN
JEFFREY R. KURIN
DANIEL J. BURNS
MICHAEL ROBBINS
JOSEPH P. O'MALLEY
MELISSA L. BASCH
BRYON T. WASSERMAN
SUVASHIS BHATTACHARYA
J. STEVEN SVOBODA

PATENT AGENTS
KARL F. KENNA
SALLY A. SWEDBERG, PH.D.
T. DAVID XUE, PH.D.

KARL F. KENNA
kfk@fdml.com

August 26, 2004

VIA FEDERAL EXPRESS

Doug Dew
2545 W. Springfield, Apt. 6
Champaign, IL 61821

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT
Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Dear Doug:

Please note we have not yet received the executed Declaration for Patent Application and the Joint to Corporate Assignment from you in the above-referenced matter. The U.S. Patent and Trademark Office requires that we submit these documents before they process the application. For your convenience, we are enclosing another set of documents, together with a stamped self-addressed envelope.

Please review the Declaration, and if all of the statements therein are true, please sign and date the Declaration. After signing and dating the Declaration, please then execute the Assignment. Please feel free to make any changes or corrections to your name, address, citizenship information, etc.

When all the documents have been signed, please return them to us by fax at (415) 362-2928, and return the originals at your convenience in the stamped self-addressed envelope, so that we may file them with the U.S. Patent and Trademark Office.

If you have any questions or comments regarding the patent application or these documents, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Karl Kenna', with a stylized, cursive script.

Karl Kenna

KFK:nmb

Enclosures

cc: Sheldon R. Meyer, Esq. (w/o encl.)

kfk/beas/1278us1.clt.ltr.inventors.miss part5a.wpd

Narissa Besada

From: FedEx [donotreply@fedex.com]
Sent: Friday, August 27, 2004 12:49 PM
To: nbesada@fdml.com
Subject: FedEx shipment 792075979132

Our records indicate that the shipment sent from Narissa Besada/FLIESLER DUBB MEYER & LOV to Doug Dew has been delivered.
The package was delivered on 08/27/2004 at 1:52 PM and signed for or released by 3785346.

The ship date of the shipment was 08/26/2004.

The tracking number of this shipment was 792075979132.

FedEx appreciates your business. For more information about FedEx services, please visit our web site at <http://www.fedex.com>

To track the status of this shipment online please use the following:
[http://www.fedex.com/cgi-bin/tracking?tracknumbers=792075979132
&action=track&language=english&cntry_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=792075979132&action=track&language=english&cntry_code=us)

Disclaimer

FedEx has not validated the authenticity of any email address.

From: Origin ID: (415)362-3800
Narissa Besada
FLIESLER DUBB MEYER & LOVERJOY
FOUR EMBARCADERO CENTER
FOURTH FLOOR
SAN FRANCISCO, CA 94111



Ship Date: 26AUG04
Actual Wgt: 1 LB
System#: 1406095/INET1850
Account#: S *****

REF: BEAS-01278US1



Delivery Address Bar Code

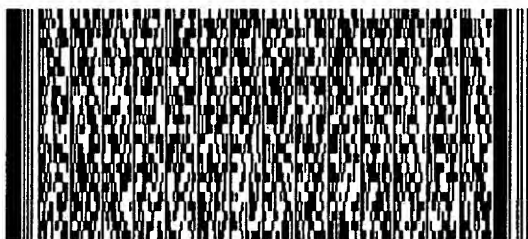
SHIP TO: (415)362-3800

BILL SENDER

Doug Dew

2545 W. Springfield
Apt. 6
Champaign, IL 61821

RELEASE#: 3785346



STANDARD OVERNIGHT

FRI

Deliver By:
27AUG04

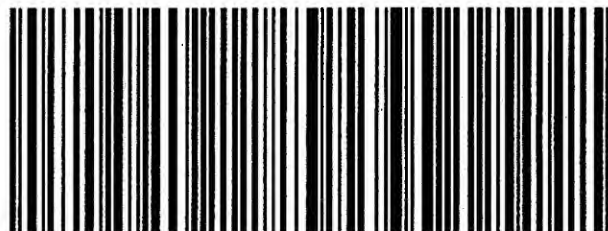
TRK# 7920 7597 9132

FORM
0201

IND AA

61821 -IL-US

XH CMIA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Narissa Besada

From: Karl Kenna
Sent: Tuesday, September 14, 2004 2:33 PM
To: 'Doug Dew'
Subject: RE: Patent Application Forms

Hi Doug - yes, I had heard some other people here had sent you some forms also. I think they were for another patent application. It's possible the forms I sent you were lost in the mail or went to your old address.

I checked to see if the other people here had the forms I sent you, but they don't.

Please let me know if you'd like me to send you out another set of forms in paper copy.

Thanks,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Doug Dew [mailto:doug@dew.name]
Sent: Tuesday, September 14, 2004 3:55 AM
To: 'Karl Kenna'
Subject: RE: Patent Application Forms

Karl,

I already signed and returned a bunch of paperwork that you folks sent to me weeks ago.

Doug

-----Original Message-----

From: Karl Kenna [mailto:kfk@fdml.com]
Sent: Monday, September 13, 2004 5:10 PM
To: 'doug@dew.name'
Subject: Patent Application Forms

Hi Doug - You should recently have received a set of declaration and assignment forms from our office in the patent application for "SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT".

We would appreciate your assistance in completing this application. For your convenience I am attaching another set in PDF format. If possible, please sign and return the forms by fax to (415) 362-2928, so we can file them in the Patent Office. If we can file them by the end of this week this would be great since it would save a costly late fee.

If you have any questions, please call or email me.

(p.s. Please make any corrections to your name, address etc, and just

initial the changes).

Thanks!

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those
Authorized By The Addressee To Receive It. Any Use, Dissemination,
Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You
Have Received This E-Mail In Error, Please Delete It And Notify The Sender
Immediately.

<<1278us1.declaration.pdf>> <<1278us1.Assignment.pdf>>

Narissa Besada

From: Karl Kenna
Sent: Friday, September 24, 2004 12:55 AM
To: 'doug@dew.name'
Subject: FW: Patent Application Forms



1278us1.declaratio
n.pdf



t.pdf

Hi Doug - just checking in as regards the patent application forms. Please let me know if you need another set sent out, or if you have any questions about this.

I've also attached a PDF copy herewith for your convenience.

Thanks for your help.

Regards,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Karl Kenna
Sent: Tuesday, September 14, 2004 2:33 PM
To: 'Doug Dew'
Subject: RE: Patent Application Forms

Hi Doug - yes, I had heard some other people here had sent you some forms also. I think they were for another patent application. It's possible the forms I sent you were lost in the mail or went to your old address.

I checked to see if the other people here had the forms I sent you, but they don't.

Please let me know if you'd like me to send you out another set of forms in paper copy.

Thanks,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-

Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Doug Dew [mailto:doug@dew.name]
Sent: Tuesday, September 14, 2004 3:55 AM
To: 'Karl Kenna'
Subject: RE: Patent Application Forms

Karl,

I already signed and returned a bunch of paperwork that you folks sent to me weeks ago.

Doug

-----Original Message-----

From: Karl Kenna [mailto:kfk@fdml.com]
Sent: Monday, September 13, 2004 5:10 PM
To: 'doug@dew.name'
Subject: Patent Application Forms

Hi Doug - You should recently have received a set of declaration and assignment forms from our office in the patent application for "SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT".

We would appreciate your assistance in completing this application. For your convenience I am attaching another set in PDF format. If possible, please sign and return the forms by fax to (415) 362-2928, so we can file them in the Patent Office. If we can file them by the end of this week this would be great since it would save a costly late fee.

If you have any questions, please call or email me.

(p.s. Please make any corrections to your name, address etc, and just initial the changes).

Thanks!

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

<<1278us1.declaration.pdf>> <<1278us1.Assignment.pdf>>

Narissa Besada

From: Karl Kenna
Sent: Monday, November 15, 2004 9:57 AM
To: 'doug@dew.name'
Subject: FW: Patent Application Forms



1278us1.declaratio
n.pdf



1278us1.Assignmen
t.pdf

Hi Doug - I'm just following up on our earlier email (see below) about the patent application forms.

To date we haven't been able to track down the forms for this particular application - it's possible that the forms have been misplaced. As it stands, this application is still in a holding pattern over at the PTO. We are sorry for any inconvenience, but if possible could you please re-sign the attached forms, and fax them to my attention at (415) 362-2928. We'll then forward them to the PTO.

Please let me know if you have any questions, or if we can be of any further assistance.

Thanks,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Karl Kenna
Sent: Friday, September 24, 2004 12:55 AM
To: 'doug@dew.name'
Subject: FW: Patent Application Forms

Hi Doug - just checking in as regards the patent application forms. Please let me know if you need another set sent out, or if you have any questions about this.

I've also attached a PDF copy herewith for your convenience.

Thanks for your help.

Regards,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Karl Kenna
Sent: Tuesday, September 14, 2004 2:33 PM
To: 'Doug Dew'
Subject: RE: Patent Application Forms

Hi Doug - yes, I had heard some other people here had sent you some forms also. I think they were for another patent application. It's possible the forms I sent you were lost in the mail or went to your old address.

I checked to see if the other people here had the forms I sent you, but they don't.

Please let me know if you'd like me to send you out another set of forms in paper copy.

Thanks,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Doug Dew [mailto:doug@dew.name]
Sent: Tuesday, September 14, 2004 3:55 AM
To: 'Karl Kenna'
Subject: RE: Patent Application Forms

Karl,

I already signed and returned a bunch of paperwork that you folks sent to me weeks ago.

Doug

-----Original Message-----

From: Karl Kenna [mailto:kfk@fdml.com]
Sent: Monday, September 13, 2004 5:10 PM
To: 'doug@dew.name'
Subject: Patent Application Forms

Hi Doug - You should recently have received a set of declaration and assignment forms from our office in the patent application for "SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT".

We would appreciate your assistance in completing this application. For your convenience I am attaching another set in PDF format. If possible, please sign and return the forms by fax to (415) 362-2928, so we can file them in the Patent Office. If we can file them by the end of this week this would be great since it would save a costly late fee.

If you have any questions, please call or email me.

(p.s. Please make any corrections to your name, address etc, and just initial the changes).

Thanks!

-- Karl

Karl Kenna (kfk@fdml.com)

Fliesler Meyer, LLP

4 Embarcadero Center, #400, San Francisco, CA 94111-4156

(415) 362-3800 Tel

(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

<<1278us1.declaration.pdf>> <<1278us1.Assignment.pdf>>

Narissa Besada

From: Karl Kenna
Sent: Monday, December 06, 2004 2:53 PM
To: 'doug@dew.name'
Subject: FW: Patent Application Forms



1278us1.declaratio
n.pdf



1278us1.Assignmen
t.pdf

Hi Doug - I'm just following up on the patent application forms. Sorry to keep bugging you, but the application is currently in a holding pattern over at the PTO, so this issue of the forms keep resurfacing. When you have a chance, if you can please sign the attached forms, mail or fax them to my attention at (415) 362-2928, we will then forward them on to the PTO.

Please let me know if you have any questions, or if we can be of any further assistance.

Thanks,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Karl Kenna
Sent: Monday, November 15, 2004 9:57 AM
To: 'doug@dew.name'
Subject: FW: Patent Application Forms

Hi Doug - I'm just following up on our earlier email (see below) about the patent application forms.

To date we haven't been able to track down the forms for this particular application - it's possible that the forms have been misplaced. As it stands, this application is still in a holding pattern over at the PTO. We are sorry for any inconvenience, but if possible could you please re-sign the attached forms, and fax them to my attention at (415) 362-2928. We'll then forward them to the PTO.

Please let me know if you have any questions, or if we can be of any further assistance.

Thanks,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-

Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Karl Kenna
Sent: Friday, September 24, 2004 12:55 AM
To: 'doug@dew.name'
Subject: FW: Patent Application Forms

Hi Doug - just checking in as regards the patent application forms. Please let me know if you need another set sent out, or if you have any questions about this.

I've also attached a PDF copy herewith for your convenience.

Thanks for your help.

Regards,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

From: Karl Kenna
Sent: Tuesday, September 14, 2004 2:33 PM
To: 'Doug Dew'
Subject: RE: Patent Application Forms

Hi Doug - yes, I had heard some other people here had sent you some forms also. I think they were for another patent application. It's possible the forms I sent you were lost in the mail or went to your old address.

I checked to see if the other people here had the forms I sent you, but they don't.

Please let me know if you'd like me to send you out another set of forms in paper copy.

Thanks,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

-----Original Message-----

FLIESLER MEYER LLP

INTELLECTUAL PROPERTY LAW

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4156
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FDML.COM

MARTIN C. FLIESLER
SHELOON R. MEYER
THOMAS A. WARD

OF COUNSEL
CHARLES H. JEW
D. BENJAMIN BORSON, PH.D.

JEFFREY R. KURIN
DANIEL J. BURNS
MICHAEL ROBBINS
JOSEPH P. O'MALLEY
MELISSA L. BASCH
BRYON T. WASSERMAN
SUVASHIS BHATTACHARYA
J. STEVEN SVOBODA
PAUL A. DURDIK

PATENT AGENTS
KARL F. KENNA
T. DAVID XUE, PH.D.
ANTHONY G. CRAIG, PH.D.

KARL F. KENNA
kfk@fdml.com

January 18, 2005

VIA FEDERAL EXPRESS

Doug Dew
2545 W. Springfield, Apt. 6
Champaign, IL 61821

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT
Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Dear Doug:

Please note we have not yet received the executed Declaration for Patent Application and the Joint to Corporate Assignment from you in the above-referenced matter. The U.S. Patent and Trademark Office requires that we submit these documents before they process the application. For your convenience, we are enclosing another set of documents, together with a prepaid Federal Express air bill and envelope.

Please review the Declaration, and if all of the statements therein are true, please sign and date the Declaration. After signing and dating the Declaration, please then execute the Assignment. Please feel free to make any changes or corrections to your name, address, citizenship information, etc.

When all the documents have been signed, please return them to us in the Federal Express envelope which is enclosed, so that we may file them with the U.S. Patent and Trademark Office.

In order to avoid abandonment of the application, please note that we need to submit these documents to the U.S. Patent and Trademark Office by January 25, 2005.

Your attention to this matter is greatly appreciated. If you have any questions or comments regarding the patent application or these documents, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Karl Kenna', written in a cursive style.

Karl Kenna

KFK:nmb

Enclosures

cc: Sheldon R. Meyer, Esq. (w/o encl.)

kfk/beas/1278us1.clt.ltr.inventors.miss part6.wpd

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

(1) Timothy Breeden
a resident of Boulder, CO; and

(2) Doug Dew
a resident of Champaign, IL;

have invented certain new and useful improvements in:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT

(Attorney Docket No.: BEAS-01278US1)

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said invention having been filed on the 11 day of December, 2003, and assigned U.S. Patent Application No. 10/733,989.

WHEREAS BEA Systems, Inc. (hereinafter termed "Assignee"), a corporation of the State of Delaware, having a place of business at 2315 North First Street, San Jose 95131, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a)

for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date as given below and delivered this instrument to said Assignee:

Date (1) _____
Timothy Breeden

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Date

(2) _____
Doug Dew

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR SOFTWARE
APPLICATION DEVELOPMENT IN
A PORTAL ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT

the specification of which (check applicable ones):

_____ is filed herewith;
☒ was filed with the above-identified and Appln. No. 10/733,989 on December 11, 2003;
_____ was amended on (or amended through) _____.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole
or first inventor: Timothy Breeden

(1) Residence: 1301 Canyon Blvd., Apt. 309
Boulder, CO 80302-5364

(1) Mailing Address: 2315 North First Street
San Jose, CA 95131

(1) Citizenship: United States

(1) Inventor's signature: _____

(1) Date: _____

(2) Full name of second
joint inventor: Doug Dew

(2) Residence: 2545 W. Springfield, Apt. 6
Champaign, IL 61821

(2) Mailing Address: 2315 North First Street
San Jose, CA 95131

(2) Citizenship: _____

(2) Inventor's signature: _____

(2) Date: _____

**SECTION 1.56. DUTY TO DISCLOSE INFORMATION
MATERIAL TO PATENTABILITY**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.* However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office; or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

* §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.

NO POUCH NEEDED.
See back for peel and stick application instructions.

FedEx® USA Airbill
Express

FedEx
Tracking
Number

8432 8069 9341

1 From Please print and press hard.

Date 1038-2772-8

Sender's Name FLIESLER MEYER LLP

Company FLIESLER MEYER LLP

Address 4 EMBARCADERO CTR, 4TH FLR

City SAN FRANCISCO State CA ZIP 94111-4106

2 Your Internal Billing Reference
First 24 characters will appear on invoice. OPTIONAL

3 To Recipient's Name KARL F. KENNA Phone (415) 362-3800

Company FLIESLER MEYER LLP

Address 4 EMBARCADERO CTR, 4TH FLOOR

To "HOLD" at FedEx location, print FedEx address.

City SAN FRANCISCO State CA ZIP 94111

Dept./Room/Suite/Floor

Try online shipping at fedex.com

By using this Airbill you agree to the service conditions on the back of this Airbill and in our current Service Guide, including terms that limit our liability.

Questions? Visit our Web site at fedex.com

or call 1.800.Go.FedEx® 800.463.3339.

0265852165

SF-HW, Date 10/28/99 Per #157610 ©1994-2000 FedEx® PRINTED IN U.S.A.

0215

Sender's Copy

4a Express Package Service

☐ FedEx Priority Overnight ☒ FedEx Standard Overnight ☐ FedEx First Overnight

☐ Next business morning ☐ Next business afternoon ☐ Next business day

☐ FedEx 2Day ☐ FedEx Express Saver

☐ Second business day ☐ Third business day

☐ FedEx Envelope ☐ FedEx Pak* ☐ Other

☐ FedEx 1Day Freight* ☐ FedEx 2Day Freight ☐ FedEx 3Day Freight

☐ Next business day ☐ Second business day ☐ Third business day

* Call for Confirmation

4b Express Freight Service

☐ FedEx 2Day ☐ FedEx Express Saver

☐ Second business day ☐ Third business day

☐ FedEx 1Day Freight* ☐ FedEx 2Day Freight ☐ FedEx 3Day Freight

☐ Next business day ☐ Second business day ☐ Third business day

* Call for Confirmation

5 Packaging

☒ FedEx Envelope* ☐ FedEx Pak* ☐ Other

☐ FedEx Envelope* ☐ FedEx Pak* ☐ Other

* Declared value limit \$500

6 Special Handling

☐ SATURDAY Delivery Available ONLY for FedEx Priority Overnight and FedEx 2Day to select ZIP codes

☐ HOLD Weekday at FedEx Location ☐ HOLD Saturday at FedEx Location

☐ NOT Available for FedEx Priority Overnight and FedEx 2Day to select locations

Does this shipment contain dangerous goods? One box must be checked.

☐ No ☐ Yes ☐ Yes ☐ Yes ☐ Yes

☐ No ☐ Yes ☐ Yes ☐ Yes ☐ Yes

☐ No ☐ Yes ☐ Yes ☐ Yes ☐ Yes

☐ No ☐ Yes ☐ Yes ☐ Yes ☐ Yes

7 Payment Bill to: ☐ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

Enter FedEx Acct. No. or Credit Card No. below.

Acct. No. in Section 1 will be billed.

Exp. Date

Total Packages 1 Total Weight 1.00 Total Declared Value* 1.00

FedEx Use Only

8 Release Signature 447

Your liability is limited to \$100 unless you declare a higher value. See back for details.

Sign to authorize delivery without obtaining signature.

From: Origin ID: (415)362-3800
Narissa Besada
FLIESLER DUBB MEYER & LOVERJOY
FOUR EMBARCADERO CENTER
FOURTH FLOOR
SAN FRANCISCO, CA 94111



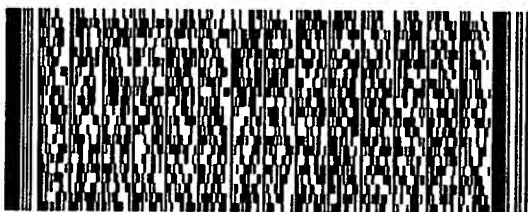
CL50914040506

SHIP TO: (415)362-3800

BILL SENDER

Doug Dew

2545 W. Springfield
Apt. 6
Champaign, IL 61821



Ship Date: 18JAN05
Actual Wgt: 1 LB
System#: 1406095/INET2000
Account#: S *****

REF: BEAS-01278US1



Delivery Address Bar Code

RELEASE#: 3785346

STANDARD OVERNIGHT

WED

TRK# 7915 2738 7450

FORM
0201Deliver By:
19JAN05

IND

AA

61821 -IL-US

XH CMIA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

[United States Home](#)[Information Center](#) | [Customize](#)

Package / Envelope Services

Office / Print Services

Freight Services

Expedited Services

Ship

Track

Manage My Account

International Tools

Track Shipments
Detailed Results[Printable Version](#)[Quick Help](#)

You can also track

- [By TCN](#)
- [FedEx Tracking](#)
- [By Email](#)
- [By FedEx Solutions](#)

Tracking number 791527387450
Signed for by Signature release on file
Ship date Jan 18, 2005
Delivery date Jan 19, 2005 1:56 PM
Status Delivered

Reference BEAS-01278US1
Delivery location Champaign, IL
Delivered to Residence
Service type Standard Envelope
Weight 0.5 lbs.

Date/Time	Activity	Location	Details
Jan 19, 2005 1:56 PM	Delivered	Champaign, IL	Left at front door. No signature required - release waiver on file
8:18 AM	On FedEx vehicle for delivery	URBANA, IL	
8:07 AM	At local FedEx facility	URBANA, IL	
7:24 AM	At dest sort facility	INDIANAPOLIS, IN	
7:11 AM	Departed FedEx location	INDIANAPOLIS, IN	
1:43 AM	Departed FedEx location	MEMPHIS, TN	
1:09 AM	Arrived at FedEx location	MEMPHIS, TN	
Jan 18, 2005 6:08 PM	Left origin	SAN FRANCISCO, CA	
4:05 PM	Picked up	SAN FRANCISCO, CA	
10:44 AM	Package data transmitted to FedEx; package not in FedEx possession		

[Wrong Address?](#)
 Reduce future mis-
[FedEx Address Changes](#)

Shipping Freight
 FedEx has LTL, surface and air e
freight, multi piece
deliveries, and o

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From

To

Add a message to this email.

[Send email](#)

Narissa Besada

From: Karl Kenna
Sent: Thursday, April 07, 2005 3:23 PM
To: 'doug@dew.name'
Subject: FW: Patent Application Forms



1278us1.declaratio
n.pdf



t.pdf

Hi Doug - We've talked in the past about various patent matters for BEA. I'm just following up on these patent application forms that list yourself as an inventor. Sorry to keep bugging you about this, but your patent application is still in a holding pattern over at the PTO. If possible, if you can please sign the attached forms and fax them to my attention at (415) 362-2928, we will then forward them on to the PTO.

Please let me know if you have any questions, or if we can be of any further assistance.

Thanks for your help.

Regards,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

Narissa Besada

From: Karl Kenna
Sent: Monday, April 11, 2005 1:38 PM
To: Narissa Besada
Subject: FW: There has been a problem delivering your email.

-----Original Message-----

From: .name mail system [mailto:postmaster@lastname.name]
Sent: Monday, April 11, 2005 1:14 PM
Subject: There has been a problem delivering your email.

Dear user,

This is an automated message from the mail agent mx05.nic.name, serving the .name mail system.

I couldn't deliver your email to the following address, for the following reason:

doug@doug.dew.name: Sorry, I couldn't find any host named DOUG.DEW.NAME. (#5.1.2)

Yours truly,

The team at Global Name Registry

With .name, get your own name as an e-mail address!
Now, .name is also open for second level domain registrations.
Your name is simple and easy to remember. Never change your e-mail address again.

Below you will find a copy of the message(s) that could not be delivered, with the headers included. These headers may help your system administrator to find any errors.

Received: (qmail 23099 invoked by uid 1004); Mon, 11 Apr 2005 20:13:39 -0000
Delivered-To: doug@dew.name
Received: (qmail 23070 invoked by alias); Mon, 11 Apr 2005 20:13:38 -0000
Received: from unknown (HELO fdml-smtp) (207.88.235.14)
by mx05.nic.name with SMTP; Mon, 11 Apr 2005 20:13:38 -0000
Received: from kauai.fdml.com ([198.68.70.15]) by fdml-smtp with Microsoft SMTPSVC (6.0.3790.211);
Mon, 11 Apr 2005 13:14:57 -0700
Received: by kauai.fdml.com with Internet Mail Service (5.5.2653.19)
id <HK00A1CC>; Mon, 11 Apr 2005 13:06:02 -0700
Message-ID: <AD76DC7F5141D31185A700A0C9DD57D902803763@kauai.fdml.com>
From: Karl Kenna <kfk@fdml.com>
To: "'doug@dew.name'" <doug@dew.name>
Subject: FW: Patent Application Forms
Date: Mon, 11 Apr 2005 13:05:53 -0700
MIME-Version: 1.0
X-Mailer: Internet Mail Service (5.5.2653.19)
Content-Type: multipart/mixed;
boundary="-----_NextPart_000_01C53ED1.DD5E5100"
Return-Path: kfk@fdml.com
X-OriginalArrivalTime: 11 Apr 2005 20:14:57.0844 (UTC) FILETIME=[21F1BF40:01C53ED3]

This message is in MIME format. Since your mail reader does not understand this format, some or all of this message may not be legible.

----- = NextPart_000_01C53ED1.DD5E5100
Content-Type: text/plain;
charset="iso-8859-1"

Hi Doug - We've talked in the past about various patent matters for BEA. I'm just following up on these patent application forms that list yourself as an inventor. Sorry to keep bugging you about this, but your patent application is still in a holding pattern over at the PTO. If possible, if you can please sign the attached forms and fax them to my attention at (415) 362-2928, we will then forward them on to the PTO.

Please let me know if you have any questions, or if we can be of any further assistance.

Thanks for your help.

Regards,

-- Karl

Karl Kenna (kfk@fdml.com)
Fliesler Meyer, LLP
4 Embarcadero Center, #400, San Francisco, CA 94111-4156
(415) 362-3800 Tel
(415) 362-2928 Fax

This E-Mail Is Confidential And Is Intended Only For The Addressee And Those Authorized By The Addressee To Receive It. Any Use, Dissemination, Distribution Or Copying Of This E-Mail By Any Others Is Prohibited. If You Have Received This E-Mail In Error, Please Delete It And Notify The Sender Immediately.

----- = NextPart_000_01C53ED1.DD5E5100
Content-Type: application/octet-stream;
name="1278us1.declaration.pdf"
Content-Transfer-Encoding: base64
Content-Disposition: attachment;
filename="1278us1.declaration.pdf"

JVBERi0xLjIgDSXi48/TDQogDTEwIDAgb2JqDTw8DS9MZW5ndGggMTEgMCBDS9GaWx0ZXIgL0Zs
YXRIRGVjb2RlIA0+Pg1zdHJlYW0NCKiJlVfbcuJIEv0C/OM+ujdArirde59oAzHEdtsOWz0bG+EX
AQVUW0iEJMx4vn4z6yIkbmfmREfbGKjMU3lOnkx9y658xiBOvDgEyKZXDOhfvYWrnzKdZj1B72+u
mCcYx1crGDOPCz/ePcH1Q76VwL9A9utqLEQCY3diCnQ+OR/nQWTO4/GAB+b4pG2rupRvMK1WL7KF
u8r7Ct9mk6cx4yJOfj6Z0IGivRBhUVjm+T6PTSQThDPhMca/soRx5hss5sSYMy+0plgaxS5/yhJz
9GXzcrOUeXND2Y4NN7+5t5arIq/zVlWlN62OW5jKk3c6rA0aX9/RwRFxFPXhsPSG+zcsGPPwK0v1
iRlWOSYoYcSp0Ix+cBomlrC5ioX7SKSpDk6v9UffsisexPRnzDqWbuZ8wA2LUovB4zxODZDFHWS/
zeDn3SKbTeEpm2SzJ3jAn3cZTO6mkD1OprMfk8f/wP18vridmcpFKSUZ+6LP4zkXsi+C1OVKIquD
RUlOJ4dDoVa6bKcJMRiLWecZEzI/6BdqUb7KEv1/vm6ev3zV38c6s07rYShsHj/QUfBMpvZVu3uD
b7WUa1lCXq7BEWTwY4gx9y3tFCbRNdNhYouWcJaeVtu7tH6UDsV1E/v+KE3ST8LHcYcyCizK26rc
qHr/WQYHyHxZsmj/OLYfR77+5vVcFXL9QYmitEserJb5VK7kfilrJG0EgrFPgvMk4X0YmWoL+T4F
C0ViU4iA+ea7T/97ymY/tIh+zLLf7qcwv3+Ep/t59t/J48wx32UjfTrqPS4Cbl14ePi+uJlki/s7
mm5+n32/f/hB2kTd6hDZv+gkXsydDLlV9gQe7h+zyXeY3f2+eLy/o2P6iBAR5uS6vaf6Ekamjngw
kaOuedEVXAVZyu31XI+c8XVdnAiMH1H3Cu5dtCnSRR8Gqbn2lVbHmZ+0wzCpW/hZqvaDaseB6JPY
s8ybRmlLuf6YRMHO4j7Hn/2R71Up638eP4p08+sv2c4Xru2x2TsOzUtS+rFpqz2KTTs3CD/lzIRC
fZFnjHU7UawLx4qFQ865RT6d3X6fPBpBkKA+4WGchoTtgfP2y0HFO8RJliH1VjIN5EYivNc/CXfi
QgelsoS1LKoTlPlerkFZjxrBANaylss3MLNBQrvLW9i/If2NQitayRHsclWocgv5eo3vNtqdVqpV
f8qy2akD0LG8MZcItD33m4SLcDBImjZvLTeo627iEO286/s0Ti5wyz9aaCtCRlfwEDh+oOSrRbyA
fi+vJFS12qoyL0aAXtWOGmxTFbK7Mzxfqw1UpdSBQDVQqMYhGhtIQ0sJ2cDZKNdNlyN9wAyU3hVi
V3oR6C6hk2DSM5hflSrbCzSH4ljnhQbU6HIAsgBTQbXRd2uOy19yhftkbYviPO3UakcXQOYU0Yrh
zSOMqmfP+Ymbb4FwOt9ULkoOB6SFgDVYruN212KJdFKDlGYf/Wo7x07JKXpZEC3ZbUI8ZdhfsdR+
DxgLE8GlfJhI/c4pE+FaauCrnxon7m2Gz964jn23MPkRt/F0cQ9ypTZuzmPFTWGer1c7uXqB3CwB
S1QSaqc7dZabPyPrNma84wWngD8IAE/Gjqswhb1+/6KsyTquHINjMRsaF7qhj2pdvfv3n+dXru

FLIESLER MEYER LLP

INTELLECTUAL PROPERTY LAW

FOUR EMBARCADERO CENTER • FOURTH FLOOR
SAN FRANCISCO • CALIFORNIA 94111-4156
TELEPHONE 415.362.3800
FACSIMILE 415.362.2928
INTERNET WWW.FDML.COM

MARTIN C. FLIESLER
SHELDON R. MEYER
THOMAS A. WARD

OF COUNSEL
CHARLES H. JEW
D. BENJAMIN BORSON, PH.D.

JEFFREY R. KURIN
DANIEL J. BURNS
MICHAEL ROBBINS
JOSEPH P. O'MALLEY
MELISSA L. BASCH
BRYON T. WASSERMAN
SUVASHIS BHATTACHARYA
J. STEVEN SVOBODA
PAUL A. DURDIK

PATENT AGENTS
KARL F. KENNA
T. DAVID XUE, PH.D.
ANTHONY G. CRAIG, PH.D.

KARL F. KENNA
kfk@fdml.com

April 13, 2005

VIA FEDERAL EXPRESS

Doug Dew
2545 W. Springfield, Apt. 6
Champaign, IL 61821

Re: United States Patent Application
Title: SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT
Inventors: Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Filing Date: December 11, 2003
Our File No.: BEAS-01278US1

Dear Doug:

I am writing in regard to the above-referenced patent application. This patent application is currently pending at the U.S. Patent Office. However, unless we file a Declaration of Inventors prior to April 25, 2005, the application will be automatically abandoned. To date, we are not in receipt of your signed Declaration. If you would like to participate in the application, please sign and return the enclosed Declaration forms to us, and we will file the forms with the Patent Office.

Please note that the forms do not need to be notarized, and you may either fax them to my attention at (415) 362-2928, or use the enclosed self addressed envelope, whichever is convenient for you.

If you are unable to complete the forms, or do not wish to participate in the application, we will be required to file a petition on your behalf. If you have any questions about this, or if we can be of any assistance, please do not hesitate to contact me.

Very truly yours,



Karl Kenna

KFK:nmb

Enclosures

cc: Sheldon R. Meyer, Esq. (w/o encl.)

kfk/beas/1278us1.clt.ltr.inventors.miss part7.wpd

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Timothy Breeden and Doug Dew
Appln. No.: 10/733,989
Confirm. No.: 2063
Filed: December 11, 2003
Title: SYSTEM AND METHOD FOR SOFTWARE
APPLICATION DEVELOPMENT IN
A PORTAL ENVIRONMENT

PATENT APPLICATION

Art Unit: Unassigned
Examiner: Unassigned

Customer No.: 23910

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if one name is listed below), or first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION
DEVELOPMENT IN A PORTAL ENVIRONMENT

the specification of which (check applicable ones):

_____ is filed herewith;
✓ _____ was filed with the above-identified and Appln. No. 10/733,989 on December 11, 2003;
_____ was amended on (or amended through) _____.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of the application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of sole
or first inventor: Timothy Breeden

(1) Residence: 1301 Canyon Blvd., Apt. 309
Boulder, CO 80302-5364

(1) Mailing Address: 2315 North First Street
San Jose, CA 95131

(1) Citizenship: United States

(1) Inventor's signature: _____

(1) Date: _____

(2) Full name of second
joint inventor: Doug Dew

(2) Residence: 2545 W. Springfield, Apt. 6
Champaign, IL 61821

(2) Mailing Address: 2315 North First Street
San Jose, CA 95131

(2) Citizenship: _____

(2) Inventor's signature: _____

(2) Date: _____

**SECTION 1.56. DUTY TO DISCLOSE INFORMATION
MATERIAL TO PATENTABILITY**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.* However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office; or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

* §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

(1) Timothy Breeden
a resident of Boulder, CO; and

(2) Doug Dew
a resident of Champaign, IL;

have invented certain new and useful improvements in:

SYSTEM AND METHOD FOR SOFTWARE APPLICATION DEVELOPMENT IN A PORTAL ENVIRONMENT

(Attorney Docket No.: BEAS-01278US1)

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention, said invention having been filed on the 11 day of December, 2003, and assigned U.S. Patent Application No. 10/733,989.

WHEREAS BEA Systems, Inc. (hereinafter termed "Assignee"), a corporation of the State of Delaware, having a place of business at 2315 North First Street, San Jose 95131, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a)

for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date as given below and delivered this instrument to said Assignee:

Date (1) _____
Timothy Breedon

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Date

(2) _____
Doug Dew

State of _____)

County of _____)

On _____ before me, _____
(name and title of officer)

personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

From: Origin ID: (415)362-3800
Narissa Besada
FLIESLER, MEYER LLP
FOUR EMBARCADERO CENTER
FOURTH FLOOR
SAN FRANCISCO, CA 94111



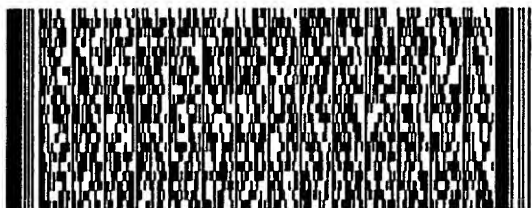
CLS12290406910

SHIP TO: (415)362-3800

BILL SENDER

Doug Dew

2545 W. Springfield
Apt. 6
Champaign, IL 61821



Ship Date: 13APR05
Actual Wgt: 1 LB
System#: 1406095/INET2000
Account#: S *****

REF: BEAS-01278US1



Delivery Address Bar Code

RELEASE#: 3785346

STANDARD OVERNIGHT

THU

Deliver By:
14APR05

TRK# 7904 8860 7659

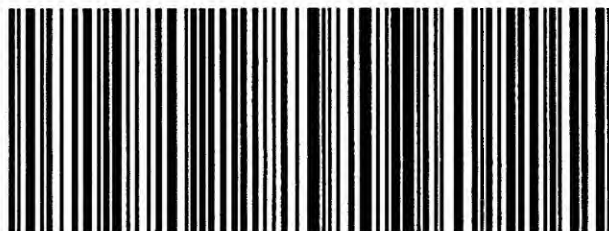
FORM
0201

IND

AA

61821 -IL-US

XH CMIA



Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

[United States Home](#)[Information Center](#) | [Cust](#)[Package / Envelope Services](#)[Office / Print Services](#)[Freight Services](#)[Expedited Ser](#)[Ship](#)[Track](#)[Manage My Account](#)[International Tools](#)

Track Shipments Detailed Results

[Printable Version](#) [Quick Help](#)

Tracking number 790488607659
Signed for by Signature release on file
Ship date Apr 13, 2005
Delivery date Apr 14, 2005 12:52 PM
Status Delivered

Reference BEAS-01278US1
Delivery location Champaign, IL
Service type Standard Envelope
Weight 0.5 lbs.

You can also tra

- [By TCN](#)
- [FedEx Tr shipment](#)
- [By Email](#)
- [By FedEx Solutions](#)

Date/Time	Activity	Location	Details
Apr 14, 2005	12:52 PM Delivered	Champaign, IL	Left at front door. No signature required - release waiver on file
	8:18 AM On FedEx vehicle for delivery	URBANA, IL	
	7:56 AM At local FedEx facility	URBANA, IL	
	4:55 AM At dest sort facility	INDIANAPOLIS, IN	
	1:53 AM Departed FedEx location	MEMPHIS, TN	
	12:50 AM Arrived at FedEx location	MEMPHIS, TN	
Apr 13, 2005	6:08 PM Left origin	SAN FRANCISCO, CA	
	5:25 PM Package data transmitted to FedEx		
	4:02 PM Picked up	SAN FRANCISCO, CA	

[Wrong Address?](#)
Reduce future mis
FedEx Address Cl

[Shipping Freight](#)
FedEx has [LTL](#), [surface and air e](#)
[freight](#), [multi piec](#)
[deliveries](#), and [o](#)

[Signature proof](#)[Track more shipments](#)

Email your detailed tracking results (optional)

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From
To

Add a message to this email.

[Send email](#)